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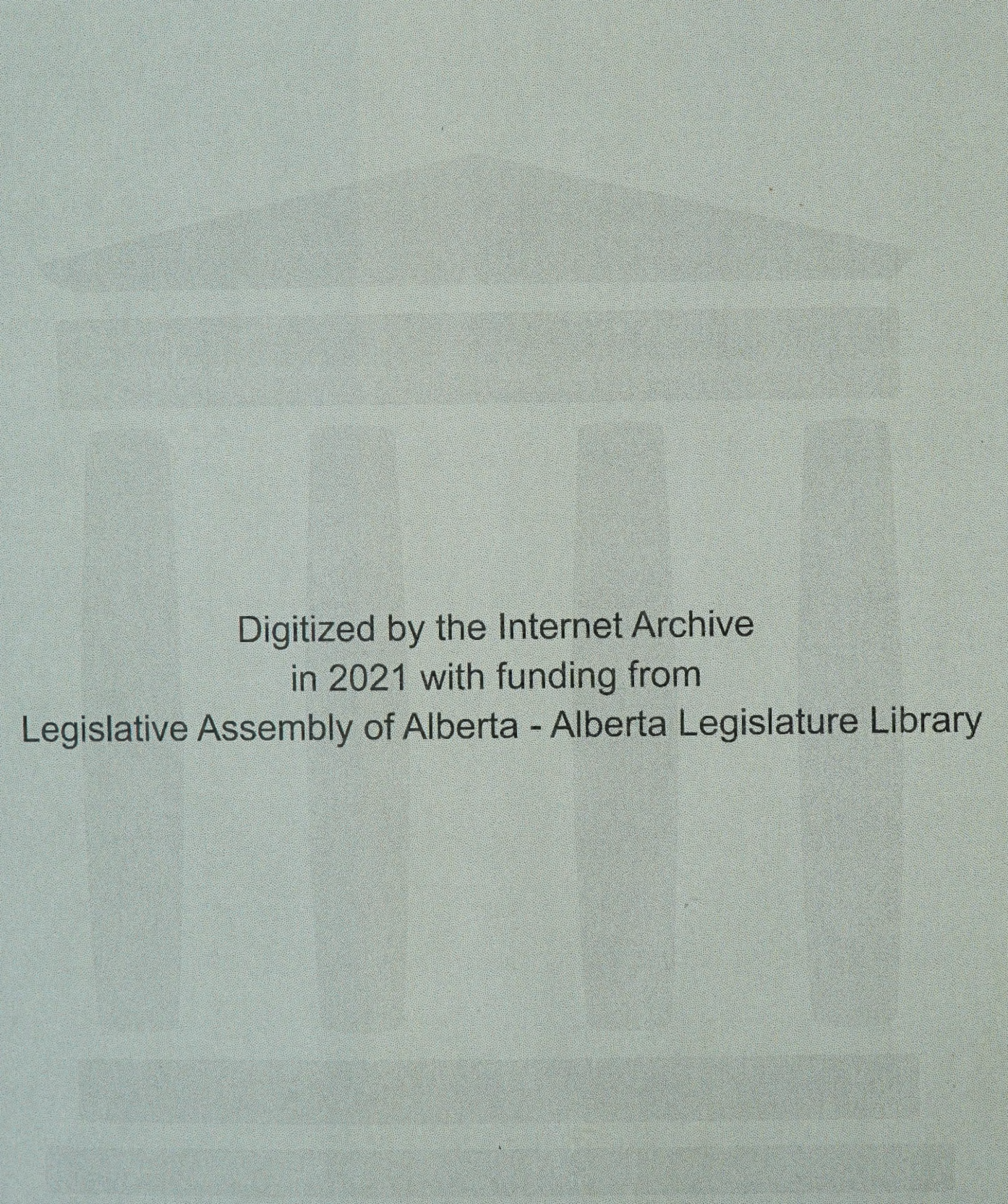
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ORDINANCES

OF THE

North-West Territories,

PASSED BY THE LIEUTENANT-GOVERNOR
IN COUNCIL,

*In the Session begun and holden at Regina, on the Fourteenth day
of October and closed on the Nineteenth day of November, 1887.*



HIS HONOR EDGAR DEWDNEY

LIEUTENANT-GOVERNOR.

REGINA:

Printed by Amédée E. Forget, Printer to the Government of the
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1887.

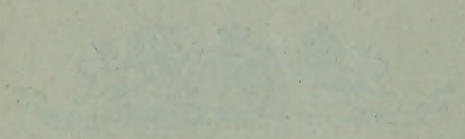
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CANADA—NORTH-WEST TERRITORIES.



No. 1 of 1887.

AN ORDINANCE TO LEGALIZE BY-LAW No. 61 OF THE MUNICIPALITY OF THE TOWN OF CALGARY.

[Passed 10th November, 1887.]

Whereas the Mayor and Council of the Town of Calgary did, on the 14th day of September, 1887, pass a By-law, numbered 61, of the Municipality of the Town of Calgary, to raise by way of loan on the debentures to be issued thereunder, the sum of Thirty Thousand Dollars ;

And whereas the said By-law was, on the 4th day of August, A.D. 1887, submitted to the vote of the ratepayers of the said Municipality of the said Town of Calgary, and the provisions of section 179 of the Municipal Ordinance of 1885 have been complied with ;

And whereas the Clerk of the said Municipality has certified, under his hand and the seal of the said Corporation, that a majority of the ratepayers entitled to vote on said By-law had voted in favor of said By-law and that said By-law was carried ;

And whereas no motion has been made to quash said By-law, but doubts exist as to its legality ;

And whereas the said Municipality has presented a petition that the said By-law be legalized ;

And whereas it is expedient to remove all doubts as to the

legality of said By-law and to grant the prayer of said petition ;

Therefore, be it enacted by the Lieutenant-Governor of the North-West Territories, in Council, as follows :

1. That the said By-law, numbered 61 of the Municipality of the Town of Calgary, entitled a By-law to raise the sum of Thirty Thousand Dollars, by debentures, for permanent improvements in the said Town of Calgary, be and is hereby confirmed and declared to be legal and valid to all intents and purposes, and the debentures issued or to be issued under the said By-law shall be, and the same are hereby declared to be valid, legal, and binding upon the said Municipality of the Town of Calgary and the ratepayers thereof, notwithstanding anything in any Ordinance to the contrary.

No. 2 of 1887.

AN ORDINANCE RESPECTING SCHOOLS.

[*Passed 18th November, 1887.*]

Be it enacted by the Lieutenant-Governor of the North-West Territories, in Council, as follows :—

BOARD OF EDUCATION.

1. The Lieutenant-Governor in Executive Council may appoint and constitute a Board of Education for the North-West Territories, composed of eight members, to hold office for two years and until their successors are appointed, five of whom shall be Protestants, and three shall be Roman Catholics.

2. The Board shall meet at Regina on the second Tuesday in March, June, September and December in each year and at such other times as the Lieutenant-Governor may direct.

3. A majority of the Board shall be a quorum.

4. The Members of the Board shall be paid for their services four dollars for each day of attendance at their meetings, and their actual travelling expenses.

5. Any member of the Board absenting himself from the meetings of the Board, or from the meetings of his section as hereinafter defined, for six months, shall forfeit his seat, and the other members of the section to which the member so absenting himself belongs, shall notify the Lieutenant-Governor of the vacancy so caused, and the Lieutenant-Governor shall appoint his successor, subject to confirmation by the Lieutenant-Governor, in Executive Council; and in the event of any member dying, or resigning his seat, or leaving the Territories, another member shall be so appointed in his place, subject to like confirmation.

6. At the first meeting of the Board, after the passing of this Ordinance, the Board shall appoint one of their number

as Chairman, who may vote with the other members of the Board on all questions, and any question, on which there is an equality of votes, shall be deemed to be negatived.

- (1.) In case of absence of the Chairman from any meeting of the Board, the then assembled members shall elect one of their number to act in that capacity, who shall for the time being possess the same powers and privileges as the Chairman.

7. It shall be the duty of the Board:—

- (1.) To prescribe the duties of the Secretary to the Board ;
- (2.) To make regulations for the registering and reporting of the daily attendance at all Schools, and to prescribe the form of School register ;
- (3.) To cause a proper record to be made of the proceedings of the Board ;
- (4.) To determine all appeals from the decisions of Inspectors of Schools, and to make such orders thereon as may be required ;
- (5.) To provide for an uniform system of inspection of all Schools and the payment of Inspectors, and to make, from time to time, such regulations as may be deemed necessary with respect to the duties of Inspectors ;
- (6.) To arrange for the proper examination, grading and licensing of Teachers and the granting of certificates, which shall be of six classes, viz., First Class (two grades), Second Class (two grades), Third Class and Provisional ;

And for such Schools as are not designated Protestant or Roman Catholic :

- (7.) To take charge of all Schools organized under this

or any previous Ordinance, and to make, from time to time, such regulations as may be deemed fit for their general government and discipline, and the carrying out of the provisions of this Ordinance ;

- (8.) To appoint Inspectors, who shall hold office during the pleasure of the Board ;
- (9.) To select, adopt and prescribe an uniform series of text books to be used in such schools ;
- (10.) To cancel the certificate of a teacher upon sufficient cause.

8. The Board of Education shall resolve itself into two sections, the one consisting of the Protestant, and the other of the Roman Catholic members thereof, and it shall be the duty of each section for the schools of its section :

- (1.) To have under its control and management the schools of its section, and to make, from time to time, such regulations as may be deemed fit for their general government and discipline, and the carrying out of the provisions of this Ordinance ;
- (2.) To select, adopt and prescribe an uniform series of text books ;
- (3.) To appoint Inspectors, who shall hold office during the pleasure of the section appointing them ;
- (4.) To cancel the certificate of a teacher upon sufficient cause.

9. There shall be a general Board of Examiners for teachers' certificates, whose number and remuneration shall be fixed by the Board of Education, one half of which Board of Examiners shall be nominated by each section of the Board.

10. Each section of the Board shall have the selection of text books for the examination of teachers in history and science, and it shall have power to prescribe any additional subjects of examination for the teachers of schools of its section, and in all examinations on such subjects the examiners of each section shall respectively have exclusive jurisdiction.

SECRETARY TO THE BOARD.

11. The Lieutenant-Governor, in Executive Council, shall appoint a Secretary to the Board of Education and provide for his salary, whose duties, except as hereinafter provided, shall be such as imposed by the Board.

12. It shall be the duty of the Secretary to call all meetings of the Board of Education, and of the sections thereof, in accordance with the provisions of this Ordinance, and also to call any school meeting required to be held under this Ordinance, when the parties, who are otherwise invested with the power to do so, either neglect or refuse to exercise it.

13. In the event of the resignation or death of the secretary the Lieutenant-Governor shall appoint his successor, subject to confirmation by the Lieutenant-Governor in Council.

SCHOOL DISTRICTS.

14. The expression "School District" means any tract of land declared by the Lieutenant-Governor, as hereinafter provided, to be a school district.

15. The name of every School District created under this Ordinance shall be "The _____ (here insert the name chosen as hereinafter provided) School District No. _____ (given by the Lieutenant-Governor) of the North-West Territories."

16. A school district shall comprise an area of not more than twenty-five square miles, not more than five miles in breadth or length, exclusive of road allowances, and shall contain not less than four resident heads of families, and ten children of "school age," which shall mean between the ages of five and sixteen, inclusive.

RATEPAYERS.

17. The expression "ratepayer," when used in this Ordinance, means any person liable to pay rates for school purposes, or who may become so.

FORMATION OF SCHOOL DISTRICTS.

18. Any three ratepayers resident in any district, fulfilling the requirements of Section 16 of this Ordinance, may be formed, or may form themselves into a Committee to procure its erection into a School District, and may petition the Lieutenant-Governor for such erection.

19. The petition shall set forth :

- (1.) The proposed name, limits, definite location and approximate area of the proposed school district ;
- (2.) The total population, and the number of adults and children (from 5 to 16 years of age inclusive) resident within the proposed district ;
- (3.) The total number of ratepayers in the district, and the number of Protestant and Roman Catholic ratepayers respectively ;

And such petition shall be accompanied by a sketch, plan or map of the proposed district, showing its boundaries, principal legal sub-divisions, physical features and general location ; and in case of rural school districts, the sections, half or quarter sections on which the children of school age reside.

20. The petition must be accompanied by an affidavit of

the several members of the Committee, that said members are *bona fide* resident ratepayers, of the proposed school district, and that the statements made in the petition are correct.

21. On receipt of a petition for the erection of a school district, the Lieutenant-Governor shall take such steps as he may think advisable to determine whether or not there are any objections to the limits of the proposed district, and shall notify the petitioners of his determination.

22. On receiving the approval of the Lieutenant-Governor to the limits of any proposed district, a notice, in Form A, in Schedule annexed hereto, calling a meeting of the ratepayers, shall be posted up by the petitioners in at least five widely separate places within such limits, one of which shall be the Post Office therein, or nearest thereto, at least two weeks next preceding the date of said meeting :

- (1) A certified copy of such notice, together with an affidavit by a Member of the Committee, that at least five such notices have been posted, as hereinbefore provided, shall be forwarded to the Lieutenant-Governor.

FIRST SCHOOL MEETING.

23. At the hour appointed in the notice of the committee calling the first school meeting, the ratepayers present shall organize the meeting by appointing a Chairman and Secretary.

24. The Chairman shall decide all questions of order, subject to an appeal to the meeting, and in case of an equality of votes, he shall give the casting vote, but he shall have no vote except as Chairman.

25. The Chairman shall take the votes in the manner desired by a majority of the ratepayers present ; but he shall, at the request of any two ratepayers, grant a poll for record-

SCHOOLS.

ing by the Secretary, the names of the voters present; such poll shall close at 4 o'clock p.m.

26. If required by any person present, or of his own accord, if deemed advisable, the Chairman shall administer the oath prescribed in notice in Form A. in schedule annexed hereto.

27. If the majority of votes taken at this meeting is against the erection of a School District, the Chairman shall notify the same to the Lieutenant-Governor.

FIRST ELECTION OF TRUSTEES.

28. So soon as the majority of the ratepayers at this first school meeting have decided in favor of the erection of the School District, the ratepayers present shall, by a majority of votes, elect from the resident ratepayers in the district, three trustees.

29. The Chairman at the first election of Trustees shall not be eligible for the office of Trustee.

30. Every ratepayer shall have as many votes as there are Trustees to be elected, but shall in no case vote more than once for any one candidate at the same election.

31. The Trustees elected at a first school district meeting shall be declared to hold office as follows:—

- (1.) The candidate receiving the highest number of votes, either by polling or show of hands, as the case may be, or the first one nominated, if no vote has been taken, shall be elected to serve until the first Tuesday in the third November following the election;
- (2.) The candidate receiving the second highest number of votes, or second in the order of nomination, shall be elected to serve until the first Tuesday in the second November following the election:

- (3.) The candidate receiving the third highest number of votes, or the third in order of nomination, shall be elected to serve until the first Tuesday in the first November following the election ;
- (4.) Provided always, that when the election takes place between the thirtieth day of April and the first Tuesday in November in any year, the third trustee shall continue in office until the first Tuesday in November next ensuing the one following the election ; the second trustee shall continue in office until the first Tuesday in the third November following the election ; and the first trustee shall continue in office until the first Tuesday in the fourth November following the election ;
- (5) Provided always that when the annual meeting is not held on the first Tuesday in November, the Trustee going out of office, shall remain in office until his successor is elected.

32. Every Trustee shall, before taking office, make the following declaration before the Chairman :

“I, A.B., do hereby accept the office of Trustee, to which I have been elected, in (Name of School District in full), and I will, to the best of my ability, honestly and faithfully discharge the duties devolving on me as such, during the term for which I have been elected in accordance with the Ordinance of the North-West Territories.

- (1.) The Chairman shall thereupon grant him a certificate of election in the following form :

“I, A.B., do hereby declare that (give name, residence and occupation of person mentioned) elected Trustee for (give name of School District) has this day made before me the declaration of office, as prescribed by the Ordinance in that behalf.

(Signed,) A.B.

Dated,

Chairman.

33. The Chairman shall, within ten days after the date of the election, send to the Lieutenant-Governor a certified copy of the minutes of the meeting, and a declaration made before a Justice of the Peace, stating the names and addresses of the Trustees elected, and that they have fulfilled the requirements of the next preceding section.

PROCLAMATION.

34. On receiving the report of a first school meeting and the declaration of the Chairman, the Lieutenant-Governor shall, if the majority of the votes at the School District meeting has been in favor of the erection of the School District, forthwith proclaim the District a School District in accordance with the terms of the petition addressed to him in that behalf with such number as he may see fit, and in manner as hereinafter provided.

35. The proclamation of the Lieutenant-Governor erecting any School District shall set forth :

- (1) The name in full, number, situation and limits thereof :
- (2) The date and place at which the meeting of ratepayers and the election of trustees was held ;
- (3) The names of the elected trustees.

SEPARATE SCHOOLS.

36. In accordance with the provisions of "The North-West Territories Act," providing for the establishment of separate schools, it shall be lawful for any number of the ratepayers, whether Protestant or Roman Catholic, the same being a minority of the ratepayers resident within the limits of an organized public school district, to establish a Separate School therein, by proclamation of the Lieutenant-Governor, with the same rights, powers, privileges, liabilities

and method of government as herein provided in the case of public school districts.

37. The petition for the erection of a separate school shall show:—

(1.) The name of the School District ;

(2.) The number of children of school age resident within such district, of the religious faith of the petitioners ;

38. Each such petition shall be accompanied by an affidavit of some competent person verifying the signatures and facts therein set forth.

39. Upon the receipt of such petition, and upon its being made to appear to the satisfaction of the Lieutenant-Governor that the petitioners are of a faith, either Protestant or Roman Catholic, different from the majority of the rate-payers of the school district affected, the Lieutenant-Governor shall issue his proclamation declaring such separate school established.

40. The Lieutenant-Governor shall at the same time notify, in writing, the Board of Trustees of such school district, of the establishment of such separate school.

41. After the establishment of a separate school, the rate-payers thereto shall not be assessable by the Public School District within whose limits the separate school is situated, except for the purpose of paying off any indebtedness that may have been incurred previous to the establishment of such separate school.

ALTERATIONS IN LIMITS OF SCHOOL DISTRICTS.

42. The Lieutenant-Governor shall have power to alter the boundaries of a school district, or divide one or more existing school districts into two or more districts, or to

unite portions of an existing district with another district, or with any new district, in case it has been satisfactorily shown before him that the rights of ratepayers under Section 14 of the "North-West Territories Act" to be affected thereby, will not be prejudiced.

ANNUAL ELECTION OF TRUSTEES.

43. The regular annual election of a school trustee to fill the vacancy which occurs yearly under the provisions of section 31 shall take place after the reports required by section 171 of this Ordinance, have been submitted at the annual meeting of ratepayers to be held on the first Tuesday in November in each year.

44. Trustees shall be resident ratepayers.

ELECTION OF AUDITOR.

45. At the annual meeting an auditor shall be elected by the ratepayers to audit the accounts of the district and report the result thereof to the meeting.

MINUTES OF MEETINGS.

46. A correct copy of the proceedings of every school meeting, signed by the chairman and secretary, shall be forthwith transmitted by the Secretary of such meeting to the Secretary of the Board of Education.

TRUSTEES OF EVERY SCHOOL SHALL BE A CORPORATION.

47. The Trustees of every Public School District and the Trustees of every Separate School, shall be a body corporate, and as such body corporate shall have all rights and be subject to all the liabilities of a corporation at common law, and shall have full power to acquire, hold and alienate both real and personal estate for all school purposes, and by the same name, they and their successors shall have perpetual succession, and they shall have full power to sue

and be sued, implead and be impleaded, answer and be answered unto, in all Courts and in all actions, causes and suits at Law and in Equity whatsoever, and they shall have a Common Seal, with power to alter and modify the same at their will and pleasure, and they shall be in law capable of receiving by donation, acquiring, holding, disposing of and conveying any property, real or movable, for the use of the said School District, or Separate School, as the case may be, and of becoming parties to any contracts or agreements in the management of the affairs of the said School District, or Separate School, as the case may be, and of negotiating loans and borrowing money, upon the credit of such Corporation, for the purpose of defraying any expenses necessary for the carrying on of the business of such Corporation, subject always to the regulations and requirements of this Ordinance.

BOARD OF SCHOOL TRUSTEES.

48. It shall be the duty of the Board of Trustees of every School to :—

- (1.) Select a school site, which shall be in the centre of the district, or as near thereto as the securing of a dry, healthy and suitable location will permit ;
- (2.) Engage a qualified teacher, or teachers, on such terms as the Board may deem expedient : The contract shall be in writing, and may be in Form B in the schedule annexed hereto ;
- (3.) To take possession and have the custody and safe keeping of all school property, which has been acquired or given for school purposes to their district ;
- (4.) To do whatever they may judge expedient with regard to building, repairing, renting, warming, furnishing, and keeping in order, the school house or school houses in their district, its or their furniture and

appendages, and the school lands and enclosures held by them, and for procuring apparatus and school books for their school :

- (5.) Make such assessments on real and personal property of the district, and levy such taxes as may be necessary to defray the expenses authorized to be incurred by this Ordinance, and all necessary expenses incurred in the election of trustees, paying the teacher, keeping the accounts or transacting the business of the district, and in furnishing the school-room with school material, furniture and firing ;
- (6.) Inspect the school, see that good order is kept and proper instruction is given and dismiss the teacher or any of the pupils for misconduct or immorality, or the teacher for incapacity ;
- (7.) To keep a record of their proceedings, signed for each sitting by the Chairman and Secretary, and to see that true accounts both of the school and district are kept, and that the affairs of the district generally are conducted in the manner provided by this Ordinance, and with a due regard to efficiency and economy ; the accounts shall at all reasonable hours be open to the inspection of the ratepayers of the school district ;
- (8.) Select all the books, maps and globes to be used in the schools under their control from the list of those authorized by the Board of Education or section thereof ;
- (9.) Provide, free of cost, out of the funds of the district, books and slates for the use of the children resident within the district and attending school, whose parents are unable, through poverty, to procure the necessary books and slates for them, the right to such books and slates to rest in the school district ;

- (10.) Provide, when deemed expedient, a suitable library for the school district, making such regulations as to lending and the prevention of loss or damage to the books of such library, as they may think fit ;
- (11.) Enter into a contract to have a school house built, payment for which may be made in a term of years (not exceeding five years) in annual or semi-annual payments. Such indebtedness not to exceed \$500.00 nor the rate of interest to be more than eight per centum per annum ;
- (12.) Procure a Corporate Seal for the district ;
- (13.) To see that all reports required by this Ordinance, or by the regulations of the Board of Education, are transmitted without delay to the Secretary of the Board of Education ;
- (14.) To call special meetings for any purpose whatever whenever required to do so by the majority of the ratepayers or the Board of Education ;
- (15.) To appoint a Returning Officer to preside at all elections that may be held or votes that may be taken except as otherwise provided in this Ordinance.

OUTHOUSES.

- (16.) There shall be separate buildings for privies for boys and girls respectively. The buildings shall be erected in the rear of the school house, at least ten feet apart, their entrances facing in opposite directions, or otherwise effectually screened from each other.

49. The Board of Trustees of any School may authorize the Chairman and Treasurer thereof, to borrow from any person or bank, or Corporation, such sum of money as may be required to meet the expenditure of the School until

such time as the taxes levied therein can be collected; or, in the case of school districts situated within a Municipality, until such time as the Municipal Council can pay the school taxes to the Trustees; such authorization shall be by by-law of the Board of Trustees, and shall be under the Seal of the Corporation.

50. A majority of the Board of Trustees shall constitute a quorum at all meetings; provided that in case the number of trustees is reduced to one, that one shall be held to be a quorum until other members are elected.

51. Any person eligible and elected to the office of School Trustee, who refuses to serve as such, shall forfeit the sum of Twenty dollars, and his neglect or refusal to take the declaration of office within eight days after his election, if resident at the time within the district, shall be construed as such refusal, after which another person shall be elected to fill the place; but no school trustee shall be re-elected, except by his own consent, during the four years next after his going out of office.

52. Any person chosen as Trustee may resign with the consent expressed in writing of his colleagues in office, but such resignation shall only take effect upon the election of his successor, (see Form C in Schedule annexed hereto), and a continuous non-residence of three months, or conviction of any felony, shall cause the vacation of his office.

53. In all cases of vacancy another Trustee shall be elected at a meeting called by the Trustees, or Trustee remaining in office, and the person so elected shall hold office for the unexpired term of the Trustee whom he replaces; provided that if the vacancy is not filled within one month, the Lieutenant-Governor may appoint some qualified person to fill it.

ELECTION OF CHAIRMAN.

54. The School Trustees shall meet within ten days after their election, for the purpose of choosing a Chairman Secretary and Treasurer, and transacting such other business as may be required.

(1.) In case of absence of the Chairman from any meeting of the Board, the then assembled School Trustees shall elect one of their number to act in that capacity for the time being, who shall then be vested with the same powers and privileges as the ordinary Chairman.

55. In the meetings of the School Trustees all questions shall be decided by the majority of votes, and the Chairman shall have the right to vote, but in case of an equality of votes the question shall be decided in the negative.

MEETINGS ILLEGAL UNLESS PROPERLY CALLED.

56. No act or proceeding of a Board of Trustees shall be deemed valid or binding on any party which is not adopted at a regular or special meeting of the corporation, of which notice shall have been given by either one of their body, or the person chosen by them to act as Secretary, to all the Trustees, and a majority of the Trustees at such meeting shall have full authority to perform any lawful business.

DUTIES OF CHAIRMAN.

57. The Chairman shall :—

- (1.) Have general supervision of the affairs of the district ;
- (2.) Certify all accounts against the district before such accounts be paid by the Treasurer ;
- (3.) In default of the Board of Trustees appointing a

a returning officer, act as returning officer, or appoint some other person to act as such, at all elections or votes that may be taken during the period of his chairmanship.

SECRETARY.

58. The Board of Trustees, at its first meeting in each year, shall appoint a Secretary, whose duty it shall be to:—

- (1.) Keep a minute of all the meetings of the Board;
- (2.) Answer all communications on school matters in such manner as he may be directed by the Board;
- (3.) Examine the records and register of the school kept by the teacher, and see that they are correct;
- (4.) Forward to the Secretary of the Board of Education from time to time, the reports provided for in sections 46, 59, 60 and 165 of this Ordinance, and give such other information in regard to the school district as may be desired from time to time by the Lieutenant-Governor, or the Board of Trustees, or the Secretary of the Board of Education;
- (5.) Have charge of and keep on record all the books papers, accounts, assessment rolls and other matters, committed to his charge by the Board of Trustees during his term of office, and deliver the same to the Chairman of the Board on ceasing to hold office.

59. The Secretary of every School shall, within one month of the date of the opening of such School, notify the Inspector of such District of the opening of such School and the qualification of the teacher employed; and at same time transmit the teacher's certificate, or a certified copy of the same, in a registered letter, addressed to the Secretary of the Board of Education.

60. The Secretary of every Board of Trustees shall forward to the Secretary of the Board of Education, on the 30th day of May in each year, a report giving the following information, namely :—

- (1.) Name of each teacher :
- (2.) Class of certificate held by each teacher, and date thereof :
- (3.) Salary paid each teacher (per month):
- (4.) Number of children attending school, per register.
- (5.) If school open for one or two terms :
- (6.) Date when school opened for summer term.

TREASURER.

61. By motion of the Board, one of the members thereof may, with his consent, be appointed Treasurer of the district for the whole or any part of the term for which he was elected to serve, and may be remunerated for his services by a sum not exceeding $2\frac{1}{2}$ % on all monies passing through his hands on account of the district, the proceeds of school debentures excepted.

62. Should it be found inexpedient to appoint a member of the Board as Treasurer, then the Board shall appoint a responsible resident of the district to be Treasurer or Secretary-Treasurer, during the pleasure of the Board, at such rate of remuneration as may be agreed upon.

63. Every treasurer shall, before entering upon his duties as such, give security to the School Trustees by a bond signed and acknowledged before a magistrate, and such security shall be given by at least two solvent sureties jointly and severally to the satisfaction of the Board of Trustees and to the amount of any moneys for which the treasurer may at times be responsible, whether arising

from the school fund or from any particular contribution or donation paid into his hands for the support or benefit of the school, and such security shall be renewed at the beginning of each year, or renewed at other times or changed whenever renewal or change is required by the Board of Trustees. Such bond may be in Form D in Schedule annexed hereto.

1. The Chairman of the Board of Trustees shall obtain from the magistrate a certificate in Form E, in schedule annexed hereto, and forward the same to the Secretary of the Board of Education ;

- (2.) No grant shall be paid without production of such certificate.

64. It shall be the duty of the Treasurer to collect, receive and account for all school moneys, whether derived from the Government or otherwise, for the purpose of education within the district of which he is Treasurer, and to distribute such moneys in the manner directed by the Board of Trustees, and to keep a record of the same in a book provided for the purpose by the Board of Trustees, and he shall give and take receipts for all moneys so received and paid out by him, which he shall, when called upon by the Auditor appointed under this Ordinance or by the Board of Trustees, produce before said Board of Trustees or Auditor, as also all moneys or accounts in his charge, and shall hand over the same to the Board of Trustees on his ceasing to hold office.

PENALTIES.

65. If any trustee or other official of a school knowingly signs a false report, or if any teacher keeps a false register, or makes a false return with a view of obtaining a larger sum than the just proportion of school moneys coming to such school, such trustee, official or teacher

shall, for each offence, be liable to a fine of not less than fifty dollars.

66. Any trustee, officer or employee of a School neglecting or refusing to discharge any duty assigned to him by this Ordinance, shall, for each offence, be liable to a fine not exceeding fifty dollars.

67. Any trustee, officer or employee of a School, who, after his ceasing to hold office, detains any money, book, paper or thing belonging to the School, shall thereby incur a penalty of not less than five dollars nor more than one hundred dollars for each day during which he wrongfully retains possession of such money, books, paper or thing, after having received notice in writing from the Chairman of the Board of Trustees or from the Board of Education requiring him to deposit the same in the hands of some person mentioned in such notice.

68. Any returning officer of any school or proposed school, acting under the provisions of this Ordinance, who shall knowingly and wilfully prejudice the result of any voting, by preventing votes from being taken or taking unlawful votes, or altering the returns or books in any way or by any other means, shall be liable to a fine of not less than one hundred dollars.

69. Should the trustees of any School wilfully contract liabilities in the name of the district greater or other than as provided in this Ordinance, or appropriate any of the moneys of the School for purposes other than are provided in this Ordinance, the School, through its proper officers, or the Board of Education, on its behalf, may recover from such trustees, jointly or severally, the sum or sums for which the district has been rendered liable through the action of such Trustees over and above the amount provided in this Ordinance, in addition to the total

amount of any moneys that have been misappropriated by such trustees.

70. Any person entrusted in any manner with the carrying out of any of the provisions of this Ordinance, or qualified to vote at the election of school trustees, shall be competent to institute proceedings under this Ordinance, except in cases where it is specially provided to the contrary.

71. All fines, penalties and forfeitures mentioned in this Ordinance may be sued for, recovered, and enforced, with costs, by and before a Justice of the Peace; and if any such fine or penalty and costs be not forthwith paid, after conviction or order made, the same shall, by and under the warrant of the convicting Justice, be enforced, levied and collected, with costs of distress, and sale of the goods and chattels of the offender; and in default of such distress, such Justice shall, by his warrant, cause the offender to be imprisoned for any time not exceeding thirty days, unless the fine and costs, and the reasonable expenses of endeavoring to collect the same, be sooner paid.

(1) Such imprisonment shall not discharge the personal liability of the defendant.

72. All moneys accruing from fines or penalties under this Ordinance shall belong to the General Revenue Fund of the North-West Territories.

SCHOOL DISTRICT MAY BE DISORGANIZED.

73. On receipt of a report from the Board of Education that any organized School has failed to open and keep open a school for at least six months, and advising that the same be disorganized, the Lieutenant-Governor may by proclamation, declare that, on and after a day therein to be named, such School District shall be disorganized and thereupon the same shall cease to have or enjoy any of the

rights, powers or privileges vested in such corporations by this Ordinance; and in the event of any debts having been incurred by such Corporation prior to its disorganization, and which remain unpaid, the Lieutenant-Governor shall appoint one or more persons, who shall have full power and authority to adjust and settle all claims against such School and to assess, levy and collect, in the same manner as assessors and collectors are authorized to do by this Ordinance, such sum or sums of money as may be required to pay off such indebtedness and all expenses connected therewith, including his or their remuneration as fixed by the Lieutenant-Governor.

TEACHER.

74. Within two months after the election of Trustees in a newly organized School, they shall engage a qualified person as school teacher for such term, not being more than one year, and at such salary as may be agreed upon.

75. It shall be the duty of the teacher to:—

- (1.) Preside over and maintain good order in the school;
- (2.) Teach from such books as may be ordered or permitted by the trustees, from list of books authorized by the Board of Education, or sections thereof, and only such;
- (3.) Hold a public examination of the classes in the school at least once in each term;
- (4.) Admit trustees, school inspectors, parents of children attending, or ratepayers of the district to the school room at any time;
- (5.) Report to the trustees, from time to time, on the necessities of the school and the behaviour of the children attending it;
- (6.) Punish children for misbehaviour, inattendance or

disobedience, in such manner as the trustees may permit or direct ;

- (7.) Keep a true register of the school, according to the forms supplied by the Board of Education, make affidavit required by regulations of the Board, and inquire into and record all cases of tardiness and absence of pupils ;
- (8.) To keep the school registers with care, and to call the roll and mark the attendance and absence of the pupils, previously to beginning the regular school work, each morning and afternoon ;
- (9.) To keep a time table, showing the classification of the pupils, the subjects taught in each class, the hour of the day, and the day of the week, when each subject is taught, and the intervals allowed for recess during school hours ;
- (10.) To keep a "Visitor's Book," provided by the Board of Education, and to enter therein the visits made to the school, and to allow any visitor who so chooses to make therein any remarks suggested by the visit ;
- (11.) To see that the school room is kept clean and well ventilated, and to observe that the closets belonging to the premises are kept in a cleanly condition ;
- (12.) To report to the Secretary of the Trustees any needful repairs to the school building or furniture ;
- (13.) To keep an inventory of the school materials and furniture, and to report any deficiency in the stock from time to time ;
- (14.) To observe that there is no scarcity of fuel for school purposes during the winter months, and to exercise due economy in the use of the same ;

(15.) To render assistance to the Secretary of the Trustees in making the required reports and returns to the Lieutenant-Governor or the Board of Education or the Inspector of Schools;

(16.) To have the custody of the school premises, and to deliver up the key when required to do so by the School Trustees;

(17.) To report to the Secretary of the Trustees, immediately it comes to his knowledge, the presence of any infectious or contagious disease among the pupils and to faithfully carry out the wishes of the Trustees in respect to it;

(18.) The Teacher of a school may be Secretary of the Trustees; but not Treasurer.

76. In case of sickness, certified by a medical man, every teacher shall be entitled to his salary during such sickness for a period not to exceed four weeks for the entire year, which period may be increased by the Board of School Trustees, provided that such Trustees employ a legally qualified person to supply his place during sickness.

CONDUCT OF SCHOOL.

77. School shall be held between nine o'clock and twelve o'clock in the forenoon, and half past one o'clock and four o'clock in the afternoon of every day, not including Saturdays, Sundays, and Statutory Holidays, but the School Trustees may shorten the school hours, or recess, in the winter time.

78. The school year shall be divided into two terms, a Winter Term and a Summer Term:—

(1.) The Winter Term shall begin on the first day of November and end on the thirty-first day of March in each year;

(2.) The Summer Term shall begin on the first day of April and end on the thirty-first day of October in each year.

79. A recess of fifteen minutes in the forenoon and in the afternoon may be allowed the children attending school, at the pleasure of the Board of Trustees.

80. There may be one month's holidays during the summer term, in either the months of July or August, at the discretion of the Trustees; but before the 1st of July in each year the Trustees shall notify the Inspector of their school of the date and duration of the holidays.

81. There shall be two weeks holidays during the Winter Term, viz.; the two weeks following the 23rd day of December in each year.

82. Good Friday, Easter Monday, Arbor Day, the Birthday of the reigning Sovereign, Dominion Day, Thanksgiving Day, and any day specially appointed as a holiday by the Governor-General, the Lieutenant-Governor of the North-West Territories, the Mayor of a city or town, or the Chairman or Mayor of a Municipality, shall be Holidays; and it shall be at the discretion of the Trustees to permit any other holidays, not exceeding one day at a time.

83. All schools shall be taught and instructions given in the following branches, viz:—Reading, writing, orthography, arithmetic, geography, grammar, History of England and Canada, English literature; and such other studies as may be deemed necessary, may be authorized by the Trustees of the District. Instructions shall be given during the entire school course in manners and morals and the laws of health, and due attention shall be given to such physical exercises for the pupils, as may be conducive to health and vigor of body, as well as mind, and to the ventilation and temperature of school rooms.

84. No person shall be admitted into, or continue in, any school as a pupil, if he be afflicted with, or have been exposed to, any contagious disease, until all danger of contagion shall have passed away, as certified in writing by a medical man, or other authority satisfactory to the teacher.

GRANTS MAY BE WITHHELD.

85. Any School, the officers of which shall knowingly allow such school to be taught or conducted in violation of the provisions of this Ordinance or of the regulations of the Board of Education, or sections thereof, shall forfeit all right to participate in any of the grants provided by this Ordinance to aid the Schools of the Territories, and, upon satisfactory evidence of such violation, the Board shall withhold all such grants.

RELIGIOUS INSTRUCTION.

86. No religious instruction, such as Bible reading, or reciting, or reading or reciting prayers, (except as hereinafter provided), or asking questions or giving answers from any catechism, shall be permitted in any public school in the North-West Territories, from the opening of such school at nine o'clock in the forenoon, until the hour of three o'clock in the afternoon, after which time any such instruction, permitted or desired by the Trustees may be given.

(1.) Schools may be opened each morning with prayer with the consent of the Trustees, who shall approve of the form of prayer to be used.

87. Any child attending any school, whose parent or parents or guardian is or are of the religious faith different from that expressed in the name of such school district, shall have the privilege of leaving the school room at the hour of three o'clock in the afternoon, or of remaining without taking part in any religious instruction that may be given, if the parents or guardian so desire.

88. It shall be unlawful for any teacher or school trustee to, in any way, attempt to deprive such child of any advantage that it might derive from the ordinary education given in such school, and such action on the part of any school Trustee, Inspector or Teacher, shall be held to be a disqualification for and voidance of the office held by him or her.

NO FEES CAN BE CHARGED RATEPAYERS.

89. No fee shall be charged by the Trustees of any school on account of the attendance of any children, whose parents or guardians are ratepayers of such school, at the school thereof; but a rate not exceeding five cents per day, payable in advance, may be charged for any children whose parents or guardians are not ratepayers to such school.

INSPECTOR OF SCHOOLS.

90. It shall be the duty of the Inspector to—

- (1.) Visit at least once in each term the schools under his charge, and examine the pupils in the different classes as to proficiency in their studies;
- (2.) At the desire of the Trustees of any school, examine a Teacher possessing no certificate, and employed or proposed to be employed by such Trustees as to his proficiency in the subjects he is expected to teach, and as to his methods of teaching;
- (3.) Report from time to time to the Board of Education as to the efficiency, methods and usefulness of the schools under his charge, and also, when deemed advisable, to the Trustees of the different schools;
- (4.) To inspect other Schools at the pleasure of the Board of Education;
- (5.) To observe that no books are used in any school but those selected from the list of books authorized by the Board of Education or sections thereof;

- (6.) To assist at the Examination of Teachers if requested by the Board of Education ;
- (7.) At the close of each inspection tour to make a full report of his inspection of every school to the Board of Education, and to particularize in each report, name of school, name of teacher, his certificate, number of school children on the register, number present on day of inspection, remarks on proficiency of pupils, special remarks, if any, state of school buildings and premises, state of school apparatus, general tone of school ;
- (8.) Keep a diary of his inspection tour and expenses ;
- (9.) Inspect and endorse, if practicable, all reports which are sent through him to the Board of Education ;
- (10.) Grant provisional certificates to competent applicants recommended by trustees of schools and require such applications to be in the applicant's own handwriting ;
- (11.) Upon a visit to a school to inspect the school register, and to write his name and the date of his visit upon the line immediately after the last name on the roll ;
- (12.) To observe if the school register is systematically kept ;
- (13.) To inspect the school buildings and premises, and to suggest to the Trustees any alterations he may deem necessary for the comfort, accommodation and health of the scholars ;
- (14.) To inspect the school time table, and to endorse his approval upon it if satisfactory ;
- (15.) To make the time table the basis of his examination of the classes ;

- (16.) To inspect the visitors' book, and to write therein a general report of the condition in which he found the school ;
- (17.) To endorse all teachers' certificates in accordance with the regulations of the Board ;

AID TO SCHOOLS.

91. Every School organized or continued under this Ordinance, shall receive aid from the school fund, as follows :—

- (1.) Grants on account of Teachers' certificates to all schools having a daily average attendance of at least six pupils :
 - (a.) An annual grant of \$200.00 to every school employing a teacher, male or female, holding a provisional certificate from the Board of Education ;
 - (b.) An annual grant of \$250 to every School employing a teacher, male or female, holding a third class certificate from a Normal School or from the Board of Education ;
 - (c.) An annual grant of \$300 to every School employing a teacher, male or female, holding a second class certificate from a Normal School or from the Board of Education ;
 - (d.) An annual grant of \$350 to every School employing a teacher, male or female, holding a first-class certificate from a Normal School or from the Board of Education ;
- 2.) Grants on account attendance :
 - (a.) A grant of \$2.00 per child to every school whose average attendance is at least six, for every child

who has attended school ninety school days, where the school is open during the Summer Term. This grant not to exceed \$100.00 to any School;

(b.) A grant of \$1.50 per child to every school, whose average attendance is at least six, for every child who has attended school fifty school days, where the school is open during the Winter Term. This grant not to exceed \$75.00 to any school.

(3.) Grant on account of Inspectors' report on School;

(a.) An annual grant of an amount, not exceeding the total amount of the capitation grant for the attendance of children, to every school upon which the Inspector reports favorably.

(4) Grants on account of additional teachers:

(a.) To every School where the average daily attendance exceeds thirty, a grant on account of the Teacher's Certificate as provided in sub-section (1) of this section, for an assistant teacher;

(b.) To every School where more than one assistant teacher is employed, a grant on account of the teachers' certificate as provided in sub-section (1) of this section, for every assistant teacher employed after the first, where the average daily attendance shall be at least twenty for each teacher, the principal teacher included;

PAYMENT OF GRANTS.

92. The Lieutenant-Governor, on receipt of a return per Form F., in Schedule annexed hereto, shall pay the grant on account of teacher's certificate to the treasurer of the district, quarterly, immediately after the Thirty-first March, Thirtieth June, Thirtieth September and Thirty-first

December, in each year; and the grants on account of attendance and Inspector's reports shall be paid to the treasurer of the school district, annually, as soon as practicable after the Thirty-first day of October in each year.

93. When the school is only open for one term, the school is entitled to a proportion of the grant for the teachers' certificates, calculated according to the months during which the school was open.

ASSESSMENT.

94. Where a school is situated within a Municipality, the trustees may, as soon as may be after the final revision of the assessment roll of the Municipality, make a demand on the Council of such Municipality for the sum required for school purposes for the then current year; but such sum shall not exceed an amount equal to ten mills on the dollar, according to the last revised assessment roll, on the property liable to assessment in such school district for ordinary school purposes, with such additional amount as may be necessary to meet any debenture indebtedness that may have been incurred and becoming due.

95. When property owned by a Protestant is occupied by a Roman Catholic and *vice versa*, the tenant in such cases shall only be assessed for the amount of property he owns, whether real or personal, but the school taxes on such property shall in all cases, whether or not the same has been or is stipulated to the contrary, in any deed, contract or lease whatever, be paid to the school to which such owner is a ratepayer.

96. Whenever property is held jointly, as tenants, or tenants in common, by two or more persons, the holders of such property being Protestants and Roman Catholics, they shall be deemed and held accountable to the Board or Boards of Trustees for an amount of taxes in proportion to their

interest in the premises, tenancy or partnership respectively and such taxes shall be paid to the school to which they respectively are ratepayers.

97. If a school be situated partly within two or more Municipal Corporations, then the Board of Trustees may make a demand upon each of such corporations, for that proportion of the amount of money required by such school which may justly be demanded by such school according to the amount of property included within the limits of the district and situated within the limits of such Municipality ; or the Trustees may themselves, or by means of an Assessor, levy an assessment as provided in this Ordinance ;

98. The Trustees of any School or an assessor whom they may appoint, as soon as may be in each year shall prepare an assessment roll for the school, in which shall be set down, according to the best information to be had, a list of all the taxable property for their school in the district, with the names of the occupants and owners, if such can be procured, and such list shall contain in one line, but in different columns, the following information :

- (1.) Name of occupant or person in possession, (*If there be no occupant, a statement to that effect*);
 - (a) Religion of occupant ;
 - (b) Sex ;
 - (c) Age ;
 - (d) Occupation ;
 - (e) Place of residence ;
- (2.) Name of the owner, if it can be ascertained, (*If owner's name be unknown, such particulars concerning ownership of property as may be known*);

- (a) Religion of owner ;
 - (b) Sex ;
 - (c) Age ;
 - (d) Occupation ;
 - (e) Place of residence ;
- (3.) Description of real property in occupation of each person :
- (a) Part and number of section, township, range and meridian, or number and description of lot in special survey, or number of lot, house or other particulars of each parcel ;
 - (b) Improvements in cultivated land (*giving area*), and buildings (*giving size*), on each parcel ;
 - (c) Area in acres or feet of each parcel ;
 - (d) Value of each parcel ;
 - (e) Total value of real property ;
- (4.) Description of taxable personal property :
- (a) Taxable personal property, other than income, with particulars ;
 - (b) Value of such personal property ;
 - (c) Taxable income ;
 - (d) Total value of personal property, including taxable income ;
- (5) Total value of taxable real and personal property.

99. "Land," "real property" and "real estate" respectively shall include all buildings or other things erected

upon or affixed to the land, and all machinery or other things so fixed to any building as to form, in law, part of the reality, and all trees or underwood growing upon the land, and all mines, minerals, quarries, fossils in and under the same, except mines belonging to Her Majesty.

- (1.) "Personal estate" and "personal property" shall include all goods, chattels, shares in incorporated companies, interest on mortgages, dividends from bank stock, money, notes, accounts and debts, at their actual value, income and all other property, except land and real estate and real property, as above defined, and except property herein expressly exempted;
- (2.) "Property" shall include both real and personal property, as above defined :
- (3.) "Ranche" shall mean land held under a grazing lease from the Dominion Government.

PROPERTY LIABLE TO TAXATION, WITH EXEMPTIONS.

100. All real and personal property situated within the limits of any School District, or income derived by any person resident within the limits of such district, and wherever any portion of a ranche and the head-quarters of such ranche are within the limits of any School District, the whole of the personal property belonging to the lessee of such ranche, on the same, shall be liable to taxation, subject to the following exemptions:—

- (1.) All property held by Her Majesty or specially exempted by the Parliament of Canada or for the public use of the Government of the Territories ;
- (2.) All property held by or in trust for the use of any tribe of Indians or the property of the Indian Department ;

- (3.) Where any property mentioned in the preceding clauses is occupied by any person otherwise than in an official capacity, the occupant shall be assessed in respect thereof, but the property itself shall not be liable ;
- (4.) The grounds and buildings of all public schools, universities, collegiate institutes or incorporated seminaries, being public property, so long as such property is actually used or held for educational purposes ;
- (5.) All property belonging to the School when held and occupied or in the use of the corporation and the personal property belonging to the same ;
- (6.) Jails and Court Houses and the necessary land attached thereto ;
- (7.) Churches and the land on which they stand, not exceeding one acre ;
- (8.) The property of every public library ;
- (9.) The income of a farmer derived from his farm and the income of merchants, mechanics and other persons derived from capital liable to taxation ;
- (10.) So much of the personal property of any person as is invested in the debentures or bonds of any Municipality or School District within the Territories ;
- (11.) Personal property to the extent of three hundred dollars ;
- (12.) Grain *in transitu*, household effects of every kind, books and wearing apparel ;
- (13.) The increase in the value of the land by reason of the cultivation thereof, together with the growing crops ;

101. A person occupying property or deriving income not liable to taxation, may compel the assessor, on written demand, to assess him for such property or income in order that he may thereby be qualified for voting or holding office.

ASSESSMENT OF REAL AND PERSONAL PROPERTY.

102. Land and personal property shall be assessed against the person in occupation or possession thereof, unless when in the case of a non-resident owner, such owner shall in writing require the assessor to assess him alone for such property. But the person assessed shall in all cases, unless there is a stated agreement to the contrary, have summary recourse against such owner for the amount of taxes paid.

103. Taxes may be recovered either from the owner or occupant.

104. Where more persons than one are joint tenants or tenants in common, or holders of any property, they, or any number of them, shall be assessed for the whole of such property, subject always to the provisions of Section 96 of this Ordinance, and such assessment may be levied upon any one or more of them, saving always the recourse of such persons against the remaining holders, tenants or owners.

105. Real and personal property shall be estimated at their actual cash value, as they would be appraised in payment of a just debt from a solvent debtor.

106. Land held in actual use and not for purposes of sale, shall be appraised at the value which it is reasonably worth for the purposes for which it is in use.

107. Any person may be required by the assessor to deliver to him a written statement of all property for which he is liable to be assessed, with such other information as to owner, occupant, location and value, or other necessary particulars as may be demanded, and if he fails to do so or

knowingly makes any false statements, such person shall, upon complaint of the assessor and upon conviction before a Justice of the Peace forfeit and pay a fine of twenty dollars, to be recovered in like manner as other penalties upon summary conviction before a Justice of the Peace.

108. The assessment roll shall be completed by the First day of April in each year, and the assessor shall, before handing the roll over to the Secretary of the Board of Trustees, make affidavit (which shall be inscribed upon the roll) before a Justice of the Peace, that the statements contained therein are correct to the best of his knowledge and belief, after making due enquiry in each case.

COURT OF REVISION.

109. On receipt of the assessment roll by the Secretary of the Board of Trustees, in form as hereinbefore provided, he shall file the same, and at all convenient office hours shall keep it open to the inspection of all persons resident, or owning, or in the possession of property, or in the receipt of incomes within the district, for at least the space of two weeks and until the sitting of the Court of Revision.

110. As soon as the assessment roll shall have been completed and filed as hereinbefore provided, the Secretary of the Board of Trustees or the assessor shall notify in writing, by post or otherwise, every person whose name appears upon such roll and whose address is known, as follows :

SIR (OR MADAM) ;—

SCHOOL DISTRICT of _____
day of _____ 18 ____

You are hereby notified that your name appears on the assessment roll of this School District for the present year as the owner (or occupant) of the following property :—(Then give description of property and assessed value.) The Board of Trustees for the district will sit as a Court of Revision as follows :—(Mention day, hour, and place at which Court shall be held,) and if you consider that you have been wrongfully assessed as above stated, you will have an opportunity to make a statement of your case before the above Court.

Take notice that if you do not appear before this Court of Revision you will not be entitled to appeal from its decision to the Supreme Court of the Judicial District in which said School District is situated.

(Signed).....
Secretary Board of Trustees.

(or).....
Assessor.

To.....

111. The Board of Trustees shall cause to be posted up in at least five conspicuous places within the district, a notice that the assessment roll of the district for the current year has been made up, and where it may be examined, also the time and place at which the Court of Revision will be held, with a notice that such parties as do not appear before the Court of Revision will not be entitled to appeal from the decision of the Court of Revision to the Supreme Court of the Judicial District in which such School District is situated.

112. The Board of Trustees of any School shall sit as a Court of Revision not less than fifteen or more than thirty days from the filing of the roll, and shall hear all complaints that may be entered up to the end of the day so appointed, and may adjourn from day to day until such complaints have been disposed of, but complaints entered after the day mentioned may or may not be recognized by such Court of Revision.

113. Such Court of Revision shall have power to take evidence under oath, if necessary, either on behalf of the appellant or the School District, and shall alter or amend the assessment roll as to them shall seem to be in accordance with what is just and right.

114. If a person be dissatisfied with the decision of the of the Court of Revision, he may appeal therefrom to a Judge of the Supreme Court, and the provisions, with respect to similar appeals in Municipal matters, as provided

by "The Municipal Ordinance of 1885," and amendments thereto, are hereby incorporated and form part of this Ordinance.

RATE OF ASSESSMENT.

115. So soon as the assessment roll has been finally revised by the Board of Trustees, as aforesaid, they shall make an estimate of the probable expenditure of the School for the current year, and shall strike such a rate of assessment on the assessed value of the taxable property within the district, for the school they represent, as shall be sufficient to meet such probable expenditure, making due allowance for charges and probable loss in collection :

- (1.) Such rate shall not exceed ten mills in each dollar of property liable to taxation for ordinary school purposes, with such additional rate per dollar as may be necessary to meet any debenture indebtedness that may have been incurred by such school district on the terms upon which it was incurred.

COLLECTION OF RATES.

116. The Board of Trustees shall cause to be made out a collector's roll for the school, on which shall be set down the name of every person assessed, the assessed value of his real and personal property, and the amount with which such person is chargeable, according to the rate of taxation struck in respect of sums ordered to be levied by the Board of Trustees, with any other particulars that may be necessary, and such roll shall be placed in the hands of the treasurer for collection.

117. As soon as the treasurer shall have received the collector's roll he shall remit or cause to be remitted, by mail or otherwise, to each person whose name appears upon it as assessed for taxes, a notice in the following form :

School District of

day of

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SIR (or MAMAM).—You are hereby notified that you are assessed on the assessment roll of this district for the following properties: (*here give description and assessed value*) the taxes on which, at the rate of _____ on the dollar, amounts to _____

If the above amount is not paid to the undersigned within thirty days from the date of this notice, action to recover, as provided by law, will be taken.

.....
Treasurer.

To.....

118. The treasurer shall give receipts on behalf of the school district for all taxes paid to him, and shall enter the fact of such payment, with the date, on the collector's roll.

119. As soon as judgment has been given in the case of an assessment appealed to the Supreme Court, the trustees shall alter, amend or erase from the assessment and collector's rolls in accordance with such decision.

120. The Treasurer shall notify the Board of Trustees from time to time, the names of persons who fail to pay the taxes assessed against them, and the Board of Trustees shall take, or authorize to be taken, such action for the collection of such taxes as is hereinafter provided in this Ordinance.

121. In case any person fails to pay the taxes assessed against him, during the thirty days of notice, provided in section 117 of this Ordinance, the treasurer may, by himself or his agent, levy the same with costs, by distress of the goods and chattels of the person against whom the same is assessed, situated within the school district, or of any goods or chattels found upon the premises assessed, the property of or in the possession of any other occupant of the premises, and the costs chargeable shall be those payable to Sheriffs.

122. The Treasurer shall by advertisement, posted up in at least three public places in the school district, wherein the sale of goods and chattels distrained is to be made, give at least six days public notice of the time and place of such sale and of the name of the person in payment of whose

taxes the property is to be sold, and, at the time named in the notice, the treasurer or his agent shall sell at public auction the goods and chattels distrained or so much thereof as may be necessary to pay the taxes assessed with all lawful costs up to the close of sale.

123. If the property distrained has been sold for more than the amount of the taxes and costs, and if no claim to the surplus is made by any other person on the ground that the property sold belonged to him, or that he was entitled by lien or other right to the surplus, it shall be returned to the person in whose possession the property was when the distress was made.

(1.) If any such claim is made by the person for whose taxes the property was distrained, and the claim is admitted, the surplus shall be paid to the claimant ;

(2.) If the claim is contested, such surplus money shall be paid over by the treasurer of the district to the clerk of the Supreme Court within whose jurisdiction such school is situated, who shall retain the same until the respective rights of the parties have been determined by action at law or otherwise.

124. If the taxes payable by any person cannot be recovered in any special manner provided by this Ordinance, they may be recovered, with interest and costs, as a debt due to the school, in which case the production of the collector's roll or a copy of so much thereof as relates to the taxes payable by such person, certified as a true copy by the secretary of the school, shall be *prima facie* evidence of the debt.

125. The treasurer shall, on or before the first day of October in each year return the collector's roll to the secretary of the Board of Trustees, with an account of all moneys received by him, accompanied by an affidavit, made before

a Justice of the Peace, that the collection and other proceedings have been taken in accordance with the terms of this Ordinance, and that all the returns contained therein are correct.

126. The treasurer shall at the same time make a return, certified by affidavit, as provided in the next preceding section, of all property upon which the taxes, or any portion thereof, remain unpaid, and the reason of the failure of such payment.

(1.) A copy of such return shall be kept on file by the secretary of the school district, and shall be open to inspection of the ratepayers of the district or their agents.

127. The taxes accrued on any land or property shall be a special lien upon such land or property, having preference over any claim, lien, privilege or incumbrance of any party, except the Crown, and shall not require registration to preserve it, and shall bear interest at the rate of 5 per cent., from the time of the return of the collector's roll to the Secretary.

128. Such accrued taxes shall be entered upon the assessment roll of the district against such property, from year to year, and shall be held to be payable, if not otherwise collected, at the same time and in the same manner as the ordinary taxes of the year.

129. Whenever the treasurer is satisfied, or is notified by the Board of Trustees, that there is sufficient distress upon any real property within the district which is in arrears for taxes, he shall proceed to levy the amount due in the manner and under the same provisions as are contained in section 121 of this Ordinance.

130. When a portion of the tax on any land has been due for more than two years preceding the current year,

the Secretary shall prepare a list, to be headed "List of Lands to be sold for Taxes," which shall be in duplicate, of all the lands against which arrears of taxes remain unpaid, showing the amount of such arrears against each lot, parcel or sub-division, and all other lawful charges standing against such land on account of such arrears of taxes, and the Secretary shall certify to the correctness of such lists. One of said lists shall be delivered to the Sheriff of the Judicial District, within which the school is situated, with a warrant thereto annexed, signed by the chairman, commanding such Sheriff to levy and collect such arrears with costs.

131. The Sheriff shall endorse on such list the date of the receipt thereof by him, and give a receipt therefor to the secretary; and thereafter the collection of such arrears shall belong to the Sheriff alone, and he shall receive payment of such arrears in whole; in no case shall he receive a part thereof, unless satisfactory proof be produced of previous payment, or that an erroneous charge has been made in whole or in part, and a resolution of the Trustees authorizing him so to do, and he shall give a receipt for such payment, specifying the amount, for what years, the description of the lot or parcel of land, and the date of payment.

PROCEEDINGS FOR SALE OF LANDS FOR TAXES.

132. The Sheriff shall cause to be published for eight consecutive weeks, in a weekly newspaper, published in or nearest to the district, a copy of said list, with a notice stating when and where the said lands are to be sold, and shall cause to be posted up in at least five conspicuous places in the school district (one of which shall be the post office in or nearest to the district) similar copies of said list and notice.

133. The Sheriff shall, within one month after the last publication of the sale, as hereinbefore provided, proceed to sell the lands by public auction, and the lands shall be offered for sale in lots or parcels, as the case may be, against which the arrears of taxes, together with costs and charges, stand.

134. Where the title to any land sold for arrears of taxes is in the Crown, the deed therefor, in whatever form given, shall be held to convey only such interest as the Crown may have given or parted with, or may be willing to recognize or admit that any person possesses under any color of right whatever; and the school district on whose behalf any land shall be sold for arrears of taxes as aforesaid, shall, in case of any such sale being declared invalid, be liable only for the purchase money actually paid therefor to the school district, and interest thereon as for damages or otherwise.

135. It shall not be the duty of the Sheriff to make enquiry before effecting the sale of land for taxes, to ascertain whether or not there is any distress on the land, nor shall he be bound to enquire into nor form any opinion of the value of the land.

136. The Sheriff shall offer each lot or parcel of land separately, and shall state the whole amount due on said lot or parcel, and shall sell the whole or so much as is necessary to the party who pays the whole of the amount due on account of said arrears, costs and charges.

137. The land adjudged to be sold by the Sheriff under this Ordinance shall be, commencing at the south-east corner, and shall conform as nearly as may be to the shape and number of acres in the lot or parcel of land offered for sale, and shall include the buildings or other improvements thereon, and when the land has been sub-divided into lots, if the whole lot is not sold, the amount adjudged to be sold shall be a strip off the whole southerly side of said lot.

and shall include the buildings or other improvements thereon.

138. All sales of lands for taxes shall take place and be holden within the limits of the School District, where the land to be sold is situated, unless otherwise directed by the Lieutenant-Governor in Council.

139. The owner or agent of any land may pay the arrears with costs and charges against the same, at any time before the same are sold.

140. The Sheriff may adjourn the sale from time to time, but at the time of such adjournment shall publicly state at what time the sale shall be resumed.

141. If the purchaser of any land fails immediately to pay the arrears, costs and charges against any land, the Sheriff shall forthwith put up the property for sale.

142. The Sheriff, after selling any lands for taxes shall give a certificate under his hand to the purchaser, stating what part of the land has been sold, describing the same as in notice of sale, the quantity sold, the sum for which it has been sold, and further stating that the land so sold will be conveyed by the Sheriff to the purchaser or his assigns, on his or their demand, at any time after two years if the same be not previously redeemed.

143. The purchaser shall, on receipt of the Sheriff's certificate, become the owner of the land, so far as to have all the necessary rights of action and powers for protecting the same from spoliation or waste until the expiration of the term during which the land may be redeemed; but he shall not knowingly permit any person to cut timber upon the land or otherwise injure the land, nor shall he do so himself, but he may use the land himself without deteriorating its value, provided that the purchaser shall not be liable for damage done to the property without his knowledge.

144. The owner, or his agent appointed by him in writing, may redeem any land sold by the Sheriff for arrears of taxes at any time after the sale thereof and before the expiration of two years, by paying to him the full amount for which the land was sold and interest thereon at the rate of twenty per centum per annum, to be computed from the date of sale, and an additional commission to the Sheriff of two and one-half per cent.

145. From and after the payment to the Sheriff of the amount of redemption money as aforesaid, the purchaser shall cease to have any further rights in or to the lands in question.

146. The purchaser shall be entitled to receive the full amount of purchase money from the Sheriff for the land so redeemed, together with interest to be computed at the rate of twenty per cent. per annum, from the date of the certificate given to him by the Sheriff to the date of the redemption.

147. If the land be not redeemed within the period allowed for its redemption, being two years from the date of sale, exclusive of that day, then on demand of the purchaser or his assigns or other legal representatives at any time afterwards and on payment of two dollars, the Sheriff shall prepare and execute and deliver to him or them a deed in duplicate of the land sold.

148. Such deed shall be in the form, or to the same effect, as in Form G in Schedule annexed hereto, and shall state the date and cause of sale and the price, and shall describe the land according to the description in the certificate, and such deed shall have the effect of vesting the land in the purchaser or his heirs and assigns or other legal representatives in fee simple, and no such deed shall be invalid for any error or miscalculation in the amount of taxes or in-

terest thereon in arrears, or any error in describing the land.

149. The Sheriff shall, within one month after the receipt of any money on account of arrears of taxes, pay the same to the Treasurer of the School on whose account the money was received.

150. The Sheriff, in addition to the fees, commissions and charges for selling, shall be entitled to receive a commission from the School of two and one-half per cent. on all moneys collected on account of arrears of taxes, and may deduct the same from any money remaining in his hands to the credit of the School.

INCURRING DEBT.

151. Should it appear desirable to the Board of Trustees of any school that a sum of money should be borrowed upon security of the district for the erection, purchase or improvement of a school building or buildings, or for the purchase of suitable play grounds for the children attending the school or schools of the district, they shall pass a by-law to that effect, as per Form H in schedule annexed hereto, or to the like effect, and before proceeding to borrow such sum of money, shall receive the sanction of a majority of the votes of the ratepayers of the School or Schools by taking a vote thereon as hereinafter provided.

152. The Board of Trustees shall give notice, as per Form I in schedule annexed hereto, or to the like effect, of the polling, by notices displayed in at least ten conspicuous places throughout the district, at least twenty days before the polling, and by advertisement for the same length of time, once each week, in the newspaper published nearest the school district.

153. A certified copy of the notice of polling shall be

forwarded forthwith to the Lieutenant-Governor by the Secretary of the Board of Trustees.

154. The chairman of the Board of Trustees shall be returning officer, and shall act as hereinafter provided.

155. The returning officer shall:—

- (1.) Provide himself with a book, suitably ruled and headed, for the purpose of recording the vote cast, in which shall appear, in separate columns, but in one line, the name and sex of each voter, the description of the property voted upon, remarks, whether voter sworn or refused to be sworn, and the vote cast, whether “yea” or “nay” to the purpose specified in the notice of voting;
- (2.) Keep posted in a conspicuous place at the place of polling, a copy of the notice of voting;
- (3.) Appear at the place on the day and at the hour mentioned in the notice of voting, and continue there during the hours mentioned in such notice;
- (4.) Question, either personally or by an interpreter, in the voter's own language, if necessary, every person presenting him or herself to vote, as to name and location, or description of property, and record the answers given in the poll book;
- (5.) If required by any person present or of his own accord, if deemed advisable, administer the following oath, which shall express the qualification of voters:

do solemnly swear that I am a *bona fide* ratepayer of (give name of district in full); that I am of the full age of twenty-one years that I am not an unenfranchised Indian; that I have not voted before at this election, and that I have not received any reward, either directly or indirectly, nor have I any hope of receiving any reward for voting at this time and place. So help me God.

- (6.) If the voter is not required to be sworn, or if he

he takes the oath when required, ask him in an audible voice in the language spoken by him (either personally or through an interpreter) whether he votes for or against the purpose expressed in the notices of voting, and record his answer in the column headed "yea" or "nay" according to the expressed wish of such voter;

- (7.) Admit any two persons who have respectively voted "yea" or "nay" into the polling place, to act as scrutineers, and on demand, allow either or both of them to see any vote recorded in the book;
- (8.) At the hour appointed in the notice of voting, sum up the votes cast and declare the result;
- (9.) In the case of a tie after the final recount, give a casting vote;
- (10.) Announce the day, being within seven days of the day of voting, when, and the place where, he will appear before a Justice of the Peace for a final recount of votes, and when all complaints against the conduct or result of the voting will be heard.

156. On appearing before the Justice of the Peace at the time and place appointed, the returning officer shall place in the hands of such Justice the poll-book used by him at the poll, and shall make an affidavit before the Justice, which shall be inscribed upon such book, that the election has been conducted throughout in the manner provided by this Ordinance (or with such exceptions as he shall mention) and that the returns contained therein are correct.

- (1.) The Justice shall then receive and record in writing any complaint that may be made under oath by any parties relative to the conduct of the voting, and shall examine into and decide such complaints by taking evidence under oath.

157. Before proceeding to the hearing of any complaint, the Justice shall require the complainant to deposit with him such sum, not being less than twenty-five nor more than one hundred dollars, as may seem necessary to him to cover the costs of the hearing of the complaint, which costs shall be paid according the decision of such Justice.

158. The decisions of the Justice shall be as follows :—

- (1.) If it be found that the proceedings in taking the vote have been irregular in any essential particulars and that injustice has thereby been done, it shall be declared of no effect, and the Justice shall forthwith forward to the Lieutenant-Governor a full report to that effect ;
- (2.) If it be found that any vote has been cast by any person not duly qualified to vote, or on account of bribery or intimidation, it shall be struck off the poll book.

159. When all complaints have been heard and decided upon and the corresponding alterations duly made in the poll book, the Justice shall finally sum up the votes cast and shall forward to the Lieutenant-Governor a return, as per Form K in schedule annexed hereto, or to the like effect, showing the total number of votes taken, and the number remaining on each side after the recount.

160. If it is desired to appeal from the decision of the Justice, such appeal must be made in the manner provided in Chapter 178 of the Revised Statutes of Canada, Sec. 77.

161. Upon receipt of the return mentioned in Section 159, and upon being satisfied that the several conditions, required by this Ordinance, have been complied with, the Lieutenant-Governor shall, in writing, empower the Trustees to borrow the sum or sums of money mentioned in the By-law, and

shall publish the same in the Official Gazette of the North-West Territories; and the assent of the Lieutenant-Governor, published as aforesaid, to any such loan, shall be conclusive evidence that all the necessary formalities have been complied with, and that such loan is one which such School may lawfully make.

162. All money borrowed under this Ordinance shall be borrowed by debenture, except as hereinbefore provided by this Ordinance.

(1.) The total face value of the debentures issued shall not be for a greater sum than one-tenth of the total assessed value of the real and personal property within the district, according to the last finally revised assessment roll of the district;

(2.) Debentures shall not run for a longer term than twenty years if the school buildings be built of brick, or stone, and shall not run for a longer term than ten years if the buildings be of frame or log;

(3.) Debentures shall be of the form following, or to the like effect:

(Give full corporate name of School) \$. Debenture No. . . .

The Trustees of (give full corporate name) promise to pay the bearer, at the at the sum of dollars of lawful money of Canada, in equal annual instalments from the date hereof, with interest at the rate of per cent. per annum on the terms and in the amounts specified in the coupons attached hereto.

(Signed)

Chairman (or Acting Chairman,

Trustee.

Dated this day of 188..

(Coupons.)

Coupon No.

Debenture No.

The Board of School Trustees of will pay to the bearer at the bank at on the

day of 188... the sum of dollars,
 being the payment with the total interest
 at the rate of per cent. per annum, due on that day on School Debenture
 No.....

(Signed.)

.....
 Chairman (or Acting Chairman.)

.....
 Trustee.

- (4.) Debentures shall not carry interest at a greater rate than eight per centum per annum.

163. The Trustees of any School having received notice from the Lieutenant-Governor, authorizing them to contract a loan as hereinbefore provided, shall issue debentures therefor in the form set forth in sub-section 3 of the next preceding section to secure the amount of the principal and interest of such loan upon the terms specified in the by-law before mentioned, and said debentures and the coupons thereof shall be sufficient, when signed by two of the Trustees of the School to bind such School, and to create a charge, or lien against all school property and rates in the School for which such loan is made.

164. All debentures shall, on redemption, be marked "cancelled" and signed by the Secretary of the Board of Trustees, across the face thereof.

165. All debentures, before being issued, shall be sent for registration to the Secretary of the Board of Education, who shall keep a book in which shall appear:

- (1.) The name and number of each School District issuing debentures;
- (2.) The amount of debenture indebtedness incurred by such district from time to time;
- (3.) The purposes for which the indebtedness was incurred, with particulars of the amount for each specific purpose:

- (4.) The date of redemption of each debenture.

TEACHERS' CERTIFICATES.

166. No certificate shall be given to any person as a teacher who does not furnish satisfactory proof of good moral character.

167. Every teacher's certificate of qualification shall have the signature of a Member of the Board of Education, and be registered by the Secretary of the Board.

PROVISIONAL CERTIFICATES.

168. Provisional Certificates will be granted to Teachers, not holding Normal School or any class of Certificates, on their sending the following information to the Inspector of Schools for the district in which they desire to teach, viz:—

- (1.) A recommendation from the Board of Trustees of the School;
- (2.) Evidence of good moral character;
- (3.) Satisfactory evidence as to competency;
- (4.) An application for the Certificate in the applicant's own handwriting;
- (5.) Provisional Certificates shall only remain in force for one year from the date of issue, but shall lapse sooner if the holder shall fail to pass the Examination for a 3rd Class Certificate held during the year;
- (6.) No provisional certificate shall be issued after the first day of January, 1889.

ANNUAL SCHOOL MEETING.

169. An annual meeting of the ratepayers of every School

District shall be called by the Chairman of the Board of Trustees for the first Tuesday in November in each year, or such other day not later than the Saturday following, as may be expedient, by public notice, giving the day, place and hour of meeting, and such notice shall be posted in five conspicuous places within the district one week before the day for which the meeting is called.

170. The Chairman of the Board of Trustees shall be Chairman of the meeting, and the Secretary of the School District shall record the minutes thereof.

171. There shall at such meeting be submitted in writing by the Board of Trustees and read to the meeting ;

(1.) By the secretary thereof, a statement of the teacher and signed by him, giving the following particulars ;

(a.) The number of days on which school was kept open during each term succeeding the last annual meeting ;

(b.) The total number of children attending school during that period, specifying the number of males and females respectively ;

(c.) The religious faith professed by the children, or their parents on behalf of the children ;

(d.) The average daily attendance during each term ;

(e.) The branches of education taught in the school and the number of children studying each ;

(f.) The number of dismissals of scholars for misbehavior or other causes ;

(g.) The report of the Inspector on the occasion of his last inspection of the school.

(2. By the Secretary of the Board of Trustees and signed by him, a statement showing ;

- (a.) The names of the Trustees ;
- (b.) The vacancies created in the Board during the year, if any, giving the reasons therefor with an account of the elections held to fill such vacancies and the results thereof ;
- (c.) The engagements entered into during the year by the Board as well as an account of those entailed upon them by their predecessors ;
- (d.) The amount of assessable property in the district according to the last finally revised assessment roll ;
- (e.) Rate of school tax per dollar ;
- (f.) Rate of tax per dollar to pay off debenture indebtedness ;
- (g.) The appeals against assessment made to the Supreme Court and the result of such appeals ;
- (h.) The times of holding regular meetings of the Board of Trustees during the year, and the resolutions adopted at such meetings, with such particulars of the minutes as may be demanded by any ratepayer present ;
- (i.) Particulars of the real and personal property held in the District ;

(3.) By the Treasurer of the School, and signed by him, a statement showing :

- (a.) The amount of money received by the district from all sources during the year, with particulars.

- (b.) The amounts accruing to the School funds of the past year on account of :

Teacher's certificate ;

Capitation grants for attendance of children ;

Inspector's report of schools ;

Assistant teachers employed.

- (c.) The amount of money due the district from all sources with particulars ;

- (d.) The amount of money paid out by the district during the year with the particulars of payment ;

- (e.) The amount, if any, due by the School, to whom due, and the terms and time of payment ;

- (4.) By the Board of Trustees, and signed by the chairman, such statement in regard to the past, present and future of the district, as they may deem sufficient.

DEFERRED SCHOOL MEETINGS.

172. In case, from the want of proper notice or other cause, any first or other school meeting, required to be held under this Ordinance, was not held at the proper time, the Secretary of the Board of Education or any two resident ratepayers to the School, may, within thirty days after the time at which the meeting should have been held, call a school meeting, by giving six days notice, to be posted in at least three of the most public places in the School District, and the meeting thus called shall possess all the powers and perform all the duties of the meeting in the place of which it is called.

MISCELLANEOUS.

173. The fiscal school year shall commence on the first

day of November in each year, and all accounts opened during the preceding fiscal year shall, if possible, be closed at that date.

174. All Schools heretofore established are hereby continued under and subject to the provisions of this Ordinance.

175. The Board of Education shall cause to be printed and kept on hand such forms as they may deem necessary in the carrying out of this Ordinance, and supply the same to parties interested, upon application, at cost price.

176. Public notices put up in accordance with this Ordinance may be either printed or written, and unless otherwise provided, the Trustees shall post up, within the district, at least five such notices, not less than eight days prior to the holding of all public meetings.

177. All declarations and affidavits provided by this Ordinance may be made either before a Justice of the Peace or a Notary Public.

178. All school meetings, after the first, shall be called by the respective Boards of Trustees, except as otherwise provided by this Ordinance.

179. The Lieutenant-Governor may, whenever he thinks it desirable in the public interest to do so, appoint a Commissioner to examine into and report to him upon the condition of any one or more Schools, and such Commissioner shall have the powers of a School Inspector for such purpose. Pending any such investigation, no public money shall be paid to such School or Schools.

180. In cases where it is provided in this Ordinance that Forms in the Schedule annexed hereto are to be used, such Forms shall be followed as near as may be or as the circumstances will admit.

181. All forms or notices required under this Ordinance may be either printed or written.

182. Ordinance No. 3 of 1885, intituled "An Ordinance to Amend and Consolidate, as amended, the School Ordinance of 1884," and Ordinance No. 10 of 1886, intituled "An Ordinance to Amend the School Ordinance of 1885," are hereby repealed.

183. This Ordinance may be cited as "The School Ordinance of 1887."

APPENDIX.

FORM A.

(See Sections 22 and 26.)

NOTICE.

"All parties are hereby notified that the undersigned committee have petitioned the Lieutenant-Governor for the erection of (*give name in full*) school district within the following limits, that is to say (*define limits*) and the Lieutenant-Governor having approved of said limits, we hereby call a meeting of the school ratepayers within these limits to decide whether such petition shall be granted or not, to be held on the day of at from 12 o'clock noon till 4 p.m. and to elect three school trustees. The qualification of voters is expressed in the following oath, which persons desiring to vote must take, if required:—"You do solemnly swear that your name is (*mention name given by proposed voter*); that you are the owner (tenant or occupant) of (*describe the land voted upon*); that it is of the value of one hundred dollars (or, if a tenant, of the yearly value of twenty dollars); that it is situated within the limits of the proposed school district; that you are of the full age of twenty-one years; that you are not an unenfranchised Indian; that you have not received any corrupt reward and have no hope or expectation of receiving any such reward for voting at this time and place."

Of which all persons interested are hereby required to take notice and govern themselves accordingly.

A. B. }
C. D. } School Committee.
E. F. }

FORM B.

(*Sub-section (2) of Section 48.*)

FORM OF AGREEMENT BETWEEN TRUSTEES AND TEACHER.

We, the undersigned Trustees of (*here insert name of School District or Separate School, in full*), have chosen _____ who holds a _____ class Certificate of qualification, to be a Teacher in the said School; and we do hereby contract with and employ such Teacher at the rate of _____ per annum (*or as the case may be*), from and after the date hereof, and we do further bind and oblige ourselves and our successors in office faithfully to collect and pay the Teacher, during the continuance of this agreement, the sum or sums for which we hereby become bound; the said sum or sums to be paid to the said Teacher. And the said Teacher hereby contracts with the Trustees hereinafter named and their successors in office, and binds himself to teach and conduct the School of said district (*or Separate School, as the case may be,*) according to the provisions of the School Ordinance of 1887 and the Regulations of the Board of Education in force under its authority.

This agreement shall continue in force from the date hereof, unless the Certificate of the said Teacher should in the meantime be revoked, and shall not include any teaching on Saturdays or on other lawful holidays or vacations decided on. *e.g.*

All such holidays and vacations being at the absolute disposal of the Teacher, without any deduction from his salary whatever.

} Trustees.

Dated this _____

day of _____

_____, Teacher.
, A.D. 18 _____

FORM C.

Section 52.)

FORM OF CONCURRENCE IN RESIGNATION OF TRUSTEES.

A. B., our colleague, as Trustee of (*here insert name of School in full*), having intimated his desire to us to resign his office as such Trustee, we the undersigned remaining Trustees of said School do hereby consent to his resignation, as authorized by Section 52 of the School Ordinance of 1887, such resignation to take effect on the election of his successor at a meeting of the ratepayers of said School called by us and to be held on the _____ day of _____

18

C. D. } Remaining Trustees.
E. F. }

Dated this _____ day of _____ 18 .

NOTE.—To be given to the retiring Trustee for presentation to the chairman of the school meeting called as above.

FORM D.

(Section 63.)

FORM OF BOND TO BE GIVEN BY TREASURER.

Know all men by these presents :

That A. B., treasurer of (*here insert name of school in full*), C.D., of _____ and E.T., of _____ are held and firmly bound unto the Trustees of the said School or to their successors, in the penal sum of _____ dollars, to be well and truly paid to the said Trustees, or their successors, for which payment we bind ourselves and each of us respectively binds himself and his respective heirs, executors and administrators, firmly by these presents.

Sealed with our respective seals, and Dated this _____ day of _____ 18 .

The condition of the above Bond or Obligation is such that if the above bounden _____ his heirs, executors, or administrators, do and shall well and truly account for and remit all moneys belonging to such Corporation coming into his hands to the Corporation of the School Trustees of (*here insert name of School in full*),

without any deduction, defalcation or abatement whatsoever, then the said bond or obligation to be void, otherwise to be, and to remain in full force and virtue.

Signed, sealed, etc., etc.

FORM E.

(See Sub-section 1 of 63.)

I hereby certify that _____ has this day,
 as Treasurer of (*give name and number of School*) for the Term ending
 _____ day of _____ entered into a Bond
 in the sum of _____ dollars, with _____ and _____,
 as his sureties, in the sum of _____ dollars each.
 Dated at _____ this _____ day of _____ J.P.

FORM F.

(See Section 92.)

I, A.B., Treasurer of (*give name and number of School*), do hereby declare as follows :

1. That the School has been kept open _____ days during the quarter ending _____
2. That the number of pupils in attendance during said quarter was _____
3. That the daily average attendance of pupils during said quarter was _____
4. That the Classes of Certificates held by the teachers (*as the case may be*), and approved by the Board of Education, are :—

Principal	Class
1st Assistant	"
2nd Assistant	"
3rd Assistant	"

And I make this solemn declaration conscientiously believing the

FORM H.

Vide Section 151.

BY-LAW No.

A By-Law relating to the issue of Debentures of the (*give full corporate name of School District.*)

Whereas it is necessary and desirable that the sum of dollars should be borrowed on the security of the (*give full name of district,*) for the purpose of repayable to the bearer, with interest at per centum per annum, in equal consecutive annual instalments ;

Now, therefore, the Board of Trustees of the said School District enact as follows :

1. That the necessary notices be given, advertisements published, and proceedings had, under "The School Ordinance of 1887," for receiving the sanction of the ratepayers of the School District to the loan and the issue of Debentures therefor, and that the voting thereon shall take place at

on the day of 18 , pursuant to the provisions of said Ordinance.

2. That if the said sanction be obtained, and the Lieutenant-Governor shall empower, in writing, the said Board of Trustees to borrow the said sum, pursuant to said Ordinance, then Debentures of the said District will be issued, payable to the Bearer, in equal consecutive annual instalments, with interest at per centum per annum, and shall be executed by the chairman and one member of this Board of Trustees.

Done and Passed at in the Provisional District
of this day of A.D. 18

Chairman.

} Trustees.

(SEAL.)

FORM I.

Vide Section 152.

PUBLIC NOTICE.

By the Trustees of the (*give full corporate name of School District.*)

Whereas it is deemed expedient by the Trustees of the (*give full name*

of the District,) that the sum of dollars should be borrowed on the security of the said School District by the issue of Debentures repayable to the Bearer in equal consecutive annual instalments, from the issue thereof, with interest at the rate of per centum per annum, for the following purposes, namely :—

Therefore, notice is hereby given, by the Trustees of said District, that a poll will be opened by the undersigned, Chairman of the said Trustees, at the on the day of 18 , at the hour of Ten o'clock, a.m., and will continue open until Four o'clock p.m. of the same day, when the votes of those duly qualified to vote thereon will be taken for or against raising the said sum of dollars by way of a loan on the security of the said School District as hereinbefore set forth.

The qualification of voters is expressed in the following oath, which persons desiring to vote, must take, if required :—“I, A.B., do solemnly swear that I am a *bona fide* resident ratepayer of the (*name of School District*); that I am of the full age of twenty-one years; that I am not an unenfranchised Indian, that I have not voted before at this election, and I have not received any reward, either directly or indirectly nor have I any hope of receiving any reward at this time and place. So help me God.”

Of which all persons interested are hereby notified, and are required to govern themselves accordingly.

Chairman.

} Trustees.

Dated at this day of 18

FORM K.

Vide Section 159.

I, the undersigned Justice of the Peace (or Notary Public, as the case

may be,) in and for the North-West Territories, having received the Poll Book used to record the votes taken at the meeting held in the (give name of School District in full) on the day of 18 , in connection with the issue of Debentures on the security of the said District, and having heard all complaints relative to the conduct of the voting, beg leave to submit the following return of the vote :—

Total No. of Votes Taken.		No. of Votes on Each Side After the Recount.	
FOR.	AGAINST.	FOR.	AGAINST.

J.P. or N.P.

Dated at
this

day of

18

No. 3 of 1887.

AN ORDINANCE TO AMEND ORDINANCE No. 2
OF 1886, RESPECTING THE ADMINISTRATION
OF CIVIL JUSTICE.

[*Passed 19th November, 1887.*]

Be it enacted by the Lieutenant-Governor of the North-West Territories, in Council, as follows :

1. Sub-section one of section fourteen is hereby amended, by striking out the word "statutory" and by changing the word "may" into "shall" therein.

2. Section fifteen of the said Ordinance is hereby repealed, and the following substituted therefor :

" 15. Every action shall be commenced by a writ of summons in the Form given in the Appendix to this Ordinance, except in cases where a different Form is hereinafter provided, which writ shall be issued by the clerk, upon receiving from the plaintiff or his advocate a præcipe therefor, in which shall be set forth the names of the parties to the action, and their places of residence, temporary or otherwise, and the residence of the plaintiff's advocate, if such writ be issued by an advocate."

3. Section sixteen of the said Ordinance is hereby repealed, and the following substituted therefor :

" 16. At the time of the issue of the writ the plaintiff or his advocate shall leave with the clerk two copies of the plaintiff's statement of claim, and of the relief or remedy to which he claims to be entitled : one of such copies shall be attached to such writ by the clerk, and the other shall be filed by him in his office, and a copy of such statement of claim shall be attached to each copy of such writ required for service."

4. Sub-section one of section seventeen of the said Ordinance is hereby amended by striking out the word "returned" where it occurs therein, and inserting the word "returnable," in lieu thereof.

5. Section eighteen of the said Ordinance is hereby amended, by inserting the words "within such three miles" after the word "place," where it occurs the third time therein.

6. Section sixty of the said Ordinance is hereby amended, by inserting after the word "out," in the fifth line thereof, the words "of any one or more," and by inserting after the word "against," in the eighth line thereof, the words "any one or more of."

7. Section sixty-nine of the said Ordinance is hereby amended, by inserting the words "lien or charge" after the word "mortgage," where it first occurs therein.

8. Section seventy-two of the said Ordinance is hereby amended, by striking out all the words after the word "summons," and inserting the words: "returnable on a day named therein. A copy of the summons and copies of affidavits and exhibits referred to therein shall be served at least four clear days before the summons is returnable."

9. Section one hundred and twelve of the said Ordinance is hereby amended, by striking out all the words down to and including the word "Court," and inserting in lieu thereof the words "After the close of the pleadings the plaintiff may at any time, on notice to the defendant, apply to the Judge for and obtain an order setting down the cause for trial at such time and place as the Judge shall direct."

10. Section one hundred and thirteen of the said Ordin-

ance is hereby amended, by striking out all the words down to the word "and," where it occurs the second time therein, and inserting in lieu thereof the words "In any cause in which either party is entitled to demand, and does demand, a jury."

11. Section one hundred and thirty-three of the said Ordinance is hereby amended by inserting between the words "Judge" and "for" the words "ex parte."

12. Section one hundred and ninety-three of the said Ordinance is hereby amended by adding the words "unless within one month after the cause is at issue, or within such longer time as may be allowed by special leave of the Court or a Judge, notice in writing shall have been given by the party intending to use the same to the opposite party of his intention in that behalf." (E. 506.)

13. Section two hundred and twenty-six of the said Ordinance is hereby amended by striking out the first word "when" and inserting the word "where."

14. Section two hundred and forty-five of the said Ordinance is hereby repealed and the following substituted therefor:

"245. Every person to whom any money or costs shall be payable under a judgment or order shall be entitled after fifteen days from the date of the judgment or order to sue out one or more writs of *fiery facias* to enforce payment thereof. The Court or Judge at the time of giving judgment or the Court or a Judge afterwards may give leave to issue execution before, or may stay execution until any time after the expiration of the period hereinbefore prescribed, and a separate execution may issue for costs."

15. Section two hundred and eighty-two of the said

Ordinance is hereby amended by striking out the word "other" where it first occurs therein.

16. Section three hundred and seventy-eight of the said Ordinance is hereby amended by inserting after the word "bond," where it first occurs, the words "or bonds," and by inserting after the word "bond" in the sixth line thereof the words "or bonds" and by adding at the end of the section the words "Any person interested in the estate, may, by leave of the Court or Judge, institute proceedings in his own name on the bond or bonds without an assignment thereof to him."

17. Section four hundred and thirteen of the said Ordinance is hereby amended by striking out the last twenty-three words thereof, and inserting in lieu thereof the words: "given such security as the Court or Judge may direct, but the Court or Judge, may, before the expiration of that period, enlarge the time for giving such security."

18. Section four hundred and thirty-three of the said Ordinance is hereby repealed and the following substituted therefor:

"433. In all cases and proceedings as also upon interlocutory applications where a party becomes entitled to costs from any other party, the same shall be taxed by the Clerk in accordance with the authorized tariffs, unless the Court or Judge by order, directs the payment of a sum in gross in lieu of taxed costs and by and to whom such sum in gross shall be paid."

19. Section four hundred and thirty-nine is amended by adding thereto: "or as the same may be from time to time varied by the Judges of the Supreme Court *in banc*."

20. Section four hundred and forty-one is hereby repealed, and the following substituted therefor:

"441. In every contested case, so soon as an order has

“ been made for setting the same down for trial, as provided
“ by this Ordinance, and the case is set down for trial, the
“ party at whose instance the said order has been made
“ shall pay to the Clerk, when the amount in dispute is
“ under one hundred dollars, two dollars, and in all other cases,
“ four dollars, as the setting down and hearing fee,—of
“ which sum when so paid the Clerk shall pay over to the
“ Sheriff one half, as and for his fee in the premises.”

21 Section four hundred and forty-seven of the said Ordinance is hereby amended by striking out all the words after the word “ Territories ” where it occurs the second time therein.”

22. The Lieutenant-Governor may, by a commission or commissions under his hand and seal from time to time empower such and so many persons as he thinks fit and necessary to administer oaths and take and receive affidavits, declarations and affirmations without the North-West Territories in or concerning any cause, matter or thing depending or in any wise concerning any of the proceedings to be had in the Supreme Court of the North-West Territories, and every oath, affidavit, declaration or affirmation taken or made as aforesaid shall be as valid and effectual and shall be of the like force and effect to all intents and purposes, as if such oath, affidavit, declaration or affirmation had been administered, taken, sworn, made or affirmed before a Commissioner for taking affidavits within the North-West Territories or other competent authority of the like nature.

(a.) The Commissioners so appointed shall be styled Commissioners for taking affidavits in and for the Supreme Court of the North-West Territories.

23. Where in an action there are several defendants, of whom one or more have been served, and another or others of them have not, the Court or Judge may order the striking out of the defendant or defendants not served, and allow the plaintiff to proceed with his action against the defend-

ant or defendants served on payment of costs or otherwise as may be considered just.

24. A plaintiff shall deliver his reply, if any, within four days after the defence or the last of the defences shall have been delivered, unless the time shall be extended by the Court or a Judge. (E. 276.)

25. No pleading subsequent to reply, other than a joinder of issue, shall be pleaded without leave of the Court or a Judge, and then shall be pleaded only upon such terms as the Court or Judge shall think fit. (E. 277).

26. Subject to the last preceding section, every pleading subsequent to reply shall be delivered within four days after the delivery of the previous pleading, unless the time shall be extended by the Court or a Judge. (E. 287.)

27. If the plaintiff does not deliver a reply or any party does not deliver any subsequent pleading within the period allowed for that purpose, the pleadings shall be deemed to be closed at the expiration of that period, and all the material statements of fact in the pleading last delivered shall be deemed to have been denied and put in issue. (E. 306.)

28. As soon as any party has joined issue upon the preceding pleading of the opposite party simply without adding any further or other pleading thereto, or has made default, as mentioned in the preceding section, the pleadings between such parties shall be deemed to be closed. (E. 280.)

29. Before Probate of a Will or Letters of Administration, of the personal estate and effects of a deceased person have been granted, any person may institute proceedings to restrain anyone committing waste by dealing or intermeddling with the estate. When such proceedings have been taken in good faith for the preservation of the property, the party

instituting such proceedings shall be entitled to costs of the action, unless the Court or Judge shall otherwise order.

30. Every writ of execution directed to the Sheriff of the North-West Territories, which, before the coming into force of the Judicature Ordinance, 1886, was duly issued out of any Court in any part of the North-West Territories, or by any Stipendiary Magistrate therein, and placed in the hands of the said Sheriff, and which has been from time to time renewed, under the provisions of any Ordinance in force at the time of such renewal or renewals, or by the Clerk of the Supreme Court, or other person having the custody of, or having in his possession, the records and proceedings of the action or proceeding in which such execution issued, or a transcript thereof, shall, within the limits within which the same had force and effect by any law or Ordinance in force at the time of the issue of such execution, have the same force and effect as like executions issued under the provisions of the Judicature Ordinance, 1886, and within such limits aforesaid, shall, subject to the provisions hereinafter contained, have priority over executions issued under the provisions of the said last mentioned Ordinance, and shall, as between themselves, have the like priorities as if the said last mentioned Ordinance had not been passed.

31. The Sheriff of any Judicial District in whose custody or possession any such execution now is, or to whom the same has been lawfully delivered, shall have and possess the same power and authority to execute the same within such portion of such limits aforesaid, as is within his Judicial District, as if the same had been directed to and delivered to him under the provisions of said last mentioned Ordinance, and shall be bound to execute the same within the limits aforesaid in the same manner and to the same extent as he is authorized and required to execute like executions issued and delivered to him thereunder.

32. In case any part of the limits aforesaid is without the Judicial District of the Sheriff having the custody or possession of any such execution, or to whom the same has been lawfully delivered, such execution shall cease to have effect in the part of such limits without his Judicial District at the expiration of three months from the passing of this Ordinance, but the execution creditor, or other person entitled to such execution, or the proceeds thereof, or his advocate, may in the meantime deliver to the Sheriff of any Judicial District or Districts in which any part of such limits is situated, a true copy of such writ and all endorsements and memoranda thereon, certified under the hand of the Sheriff having such custody or possession, and such delivery of such certified copy of such writ shall have the effect of continuing the force and effect of such execution within that portion of the limits aforesaid contained in the Judicial District to the Sheriff of which such certified copy has been delivered; for every such copy and certificate, the Sheriff supplying the same shall be entitled to demand and receive from the applicant therefor one dollar.

33. Upon the delivery of such certified copy of such writ to any such Sheriff, he shall have and possess the same power and authority to execute the said writ of execution within such portion of the limits aforesaid as is within his Judicial District, as if the same had been directed to and delivered to him under the provisions of said last mentioned Ordinance, and shall be bound to execute the same within the limits aforesaid, in the same manner and to the same extent as he is authorized to execute like executions delivered to him thereunder.

34. Every such execution shall remain in force for one year from its date or from the last renewal thereof, as the case may be (and no longer, if unexecuted, unless renewed) but may be renewed from time to time by the Clerk or other person having the custody or possession of the records

and proceedings in the cause in the same manner as executions may be renewed under the provisions of said last mentioned Ordinance.

35. The execution creditor or other person entitled to such execution or the proceeds thereof, or his advocate may demand and shall be entitled on payment of fifty cents, to obtain any such writ of execution from the Sheriff having the custody or possession thereof, and may before the expiration of three months from the passing hereof, deliver the same to the Sheriff of any Judicial District in which any portion of the limits aforesaid is situated, and such delivery shall have the same force and effect as if a certified copy thereof had been delivered to such Sheriff as hereinbefore provided, but upon any such delivery such execution shall cease to have effect in any other Judicial District.

36. Any return made, or which may hereafter be made to any such execution by any Sheriff having the custody or possession thereof shall have the same force and effect as a return by him to any execution delivered to him under the provisions of said last mentioned Ordinance.

POUNDAGE.

37. Section 254 of the said Ordinance is hereby repealed.

38. Upon any execution against the lands or goods, the Sheriff may, in addition to the sum recovered by the judgment, levy the poundage fees, expenses of the execution, and interest upon the amount so recovered from the time of entering the judgment.

39. In case a part only is made by the Sheriff on, or by force of any execution against goods and chattels, the Sheriff shall be entitled, besides his fees and expenses of execution, to poundage only upon the amount so made by him, whatever be the sum endorsed upon the writ, and in case the personal estate of the defendant is seized or adver-

tised on or under an execution, but not sold by reason of satisfaction having been otherwise obtained, or from some other cause, and no money is actually made by the Sheriff on or by force of such execution, the Sheriff shall be entitled to the fees and expenses of execution and poundage only on the value of the property seized not exceeding the amount endorsed on the writ, or such less sum as a Judge of the Court out of which the writ issued may deem reasonable under the circumstances of the case.

40. In cases of writs of execution upon the same judgment to several Judicial Districts, wherein the personal estate of the judgment debtor or debtors has been seized or advertised but not sold, by reason of satisfaction having been obtained under or by virtue of a writ in some other Judicial District, and no money has been actually made on such execution, the Sheriff shall not be entitled to poundage, but to mileage and fees only for the services actually rendered and performed by him, and the Court or any Judge thereof may allow him a reasonable charge for such services, in case no special fee therefor is assigned in any table of costs.

41. In case any person liable on any execution is dissatisfied as to the amount of poundage fees and expenses of execution that any Sheriff claims under the tariff of fees and allowances in force, he may, before or after payment thereof, apply to the Judge of the Supreme Court, and if, upon a statement of the whole facts, the Judge, after notice to the Sheriff, is of opinion that such amount is unreasonable, notwithstanding that it is according to the tariff, or this Ordinance, the same shall be reduced or ordered to be refunded upon such terms as to costs or otherwise, as the Judge may think fit to impose.

42. Upon the settlement of an execution, either in whole or in part, by payment, levy or otherwise, the Sheriff or officer claiming any fees, poundage, incidental expenses or

remuneration, which have not been taxed, shall, upon being required by either plaintiff or defendant, or the advocate of either party, and on payment or tender of the expenses of such taxation, and the further sum of twenty-five cents for the copy of his bill in detail (which he shall be bound to render) have his fees, poundage, incidental expenses or remuneration, as the case may be, taxed by the Clerk of the Supreme Court of the Judicial District wherein such Sheriff keeps his office.

43. No Sheriff shall collect any fees, costs, poundage or incidental expenses, after having been required to have the same taxed, without taxation; and upon tender of the amount taxed, no fees, costs, poundage or incidental expenses in respect of proceedings subsequently taken shall be allowed to any Sheriff.

44. It shall be the duty of every Taxing Officer above referred to, to tax the bills of costs presented to him for taxation, as herein required, upon payment or tender of his fees, and to give, when requested, a certificate of such taxation and the amount thereof.

45. It shall be the duty of every Taxing Officer afore said, upon proof of notice of the time and place of such taxation having been served upon the Sheriff, Deputy-Sheriff, or other officer charged with the execution of the writ, to examine the bills presented to him for taxation, as herein required, whether such taxation is opposed or not, and to be satisfied that the items charged in such bill are correct and legal, and to strike out all charges for services which, in his opinion, were not necessary to be performed.

46. Either party dissatisfied with the taxation may appeal to a Judge of the Supreme Court in which the proceedings are taken, for a revision of such taxation.

47. The Special Tariff for liquidated claims in the tariff of Advocates' Fees appended to said Ordinance is hereby repealed and the following substituted therefor :

" SPECIAL TARIFF FOR LIQUIDATED CLAIMS IN UNDEFENDED
CASES."

" Where claims sued for are for debts or liquidated demands in which advocates are employed and final judgment is entered by default of appearance, the following scale of advocates' fees shall apply, unless otherwise ordered by a Judge and be allowed to plaintiffs recoverable from defendants;"

" Where the judgment entered is for \$50.00 and under, the advocate's fee shall be a lump sum of \$5.00, where it exceeds \$50.00 a lump fee equal to ten per cent. on the amount recovered up to \$200, and five per cent. for all excess over \$200.00 up to \$500.00, from \$500.00 to \$1,000 2½ per cent., and one per cent. beyond that amount, but such fees shall in no case exceed \$100.00;"

" In cases where the debt sued for is settled after writ and before appearance, the advocates' fee recoverable from and payable by defendant shall be one half of the above;"

" In all cases, Clerks', Sheriffs', or service fees allowed by a Judge, to be added."

48. The tariff of Clerks' fees allowed by said Ordinance is hereby amended :

(1.) By striking out the following words in item 2 of said tariff, "garnishee and interpleader summons, writs of replevin or attachment, and delivering same for service or execution;"

(2.) By adding after the word "verdict," in item 6, the words "including necessary filings;"

- (3.) By adding after the word "costs," in item 7, the words "except when a lump sum allowed;"
- (4.) By adding after the word "order," in item 13, the words "garnishee summons, writs of replevin or attachment;"
- (5.) By striking out the sums "\$1.00 and \$1.50" in the second and third columns of item 17, and inserting in lieu thereof the sums "75c. and \$1.00" respectively;
- (6.) By striking out the sums "\$1.00," "\$1.50" and "\$2.00" in the first, second and third columns of item 20 and inserting in lieu thereof the sums "75c." "\$1.00" and "\$1.50" respectively.

49. The Tariff of "Fees allowed Judge" by said Ordinance in probate matters is hereby repealed.

50. In case any of the Records of Proceedings and Judgment in any cause, in any Court of Civil Justice which had jurisdiction in the North-West Territories prior to the 18th day of February, 1887, are in the custody or possession of any person other than a Clerk of the Supreme Court, or a Judge thereof, the Judge of the Supreme Court usually exercising jurisdiction in the Judicial District within which any such records are so held in custody or possession may order and direct, that any such records shall be delivered up to and be filed in the office of such Clerk of the Supreme Court as he shall direct.

51. Any person, other than a Clerk of the Supreme Court or a Judge thereof, having in his custody or possession any of the records of proceedings and judgment in such cause in any Court which had jurisdiction in said Territories prior to said date, upon being served with an order issued under the next preceding clause for the delivery of any such records, shall, within seven days thereafter, deliver or

transmit the same to the Clerk of the Supreme Court mentioned in said order, and upon the refusal or omission of any such person to so deliver or transmit the same within the time aforesaid, he shall be liable to be proceeded against for contempt of Court.

52. All necessary books and forms required for use in the Clerk's office, shall be supplied out of the General Revenue Fund of the North-West Territories, and the same shall be the property of the Government of the said Territories.

53. Whenever a vacancy occurs in the office of Clerk, and until the same be filled by the proper authority, the said books, records, moneys, and other matters and things so declared to be the property of the Government of the North-West Territories, shall be handed over by the person in whose possession or control they may be to such person as the Judge usually exercising jurisdiction in the Judicial District shall appoint to receive the same, and such appointee during such vacancy, is authorized to perform the duties of the Clerk of the Court.

54. The "Tariff of Sheriff's Fees" in the appendix to the said Ordinance is hereby struck out and the following substituted :

SHERIFFS' FEES.

	Class A.	Class B.
1. For receiving, entering, and endorsing every summons, writ and other process issued out of a Court, and order or other document signed by a Judge requiring service.....	\$0.75	\$0.50
2. Every return of all processes and writs, except subpoena.....	0.25	0.25
3. Every affidavit of service exclusive of fee paid Commissioner, Notary or J.P.....	0.25	0.25
4. Paid Oath	0.25	0.25
5. Fee on every service except subpoena ...	0.75	0.50

6. For service of summons on each Juror, and service of subpcna on each person named therein	0.50	0.50
7. Every warrant to execute any process when given to a Bailiff.....	0.50	0.50
8. For every arrest under warrant, bond required to be taken to the Sheriff for securing goods attached, indemnity or other purposes.....	2.00	2.00
9. For assignment of replevin bond.....	1.00	0.50
10. For executing every writ of possession or restitution.....	4.00	2.00
11. For delivering goods replevied to a plaintiff	4.00	2.00
12. For every search (not being by a party to the cause or his advocate.....	0.50	0.30
13. For every certificate when required.... And for every certificate when required under seal, including search	0.50	0.50
14. For seizing estate or effects under attachment or execution	1.00	1.00
15. For notice of Sale of Goods.....	2.00	1.00
16. Each copy, not exceeding seven each ..	0.75	0.50
17. For notice of Sale of Lands	0.10	0.10
18. Each copy, not exceeding three	1.00	1.00
19. For every notice of postponement, including copies	0.25	0.10
20. For every schedule of Goods taken in execution or seized under attachment, including copy for party whose goods are taken or seized (when not exceeding 500 words)	0.50	0.25
21. Every 100 words over 500	1.00	1.00
22. For making every affidavit (other than of service) besides fee paid out for oath	0.20	0.10
23. For making every affidavit (other than of service) besides fee paid out for oath	0.50	0.50
23. For mileage for every mile necessarily travelled and sworn to in serving and executing summons, writs and other processes and papers of every description from the place where the same are severally received or the Sheriff's office (whichever is nearest) to the place of service or execution as aforesaid and return.....	0.15	0.15

24. For poundage on executions and attachments in the nature of execution when the sum realized shall not exceed \$400, five per cent. Do., when the sum realized is over \$400, and does not exceed \$4,000, five per cent. for \$400, $2\frac{1}{2}$ per cent. for the balance up to \$4,000, and when the sum realized is over \$4,000, $1\frac{1}{4}$ per cent. for the balance.....
25. Besides such sums as may be actually disbursed for advertising in such cases required by law, and such sums for care and removal of property seized or taken as may be approved (in each case) by the Court or a Judge.
26. For drawing up advertisement when required by law to be published or posted up, including necessary copies.. 1.50 1.50
27. For bringing up prisoner or attachment or *habeas corpus*, besides travel, at 20 cents per mile..... 1.50 1.00
28. Postage when necessary.

No. 4 of 1887.

AN ORDINANCE RESPECTING THE FEES OF
COUNSEL ADVOCATES AND CLERKS IN MAT-
TERS OF CERTIORARI AND APPEALS FROM
CONVICTIONS.[*Passed 19th November, 1887.*]

Be it enacted by the Lieutenant-Governor of the North-West Territories, in Council, as follows:

1. The Table of Fees in the Schedule appended to this Ordinance shall be and constitute the fees to be taken by Counsel, Advocates and Clerks of the Supreme Court respectively, for the services therein mentioned, in respect of appeals from convictions and orders of Justices of the Peace, and proceedings by way of certiorari to bring up convictions and orders of Justices of the Peace.

2. Where no provision is made herein for services in matters of certiorari, and appeals from convictions aforesaid, Counsel, Advocates and Clerks respectively shall be entitled to tax, receive and recover for services not herein provided for, fees equal to those allowed them respectively in civil suits, by the higher scale tariff of fees appended to the Judicature Ordinance of 1886.

SCHEDULE.

FEES TO ADVOCATES AND COUNSEL.

1. Taking instructions.....	\$2.00
2. Attending to bespeak, and for copy of depositions and conviction, or minute of judgment	0.50
3. Notice of appeal and copy	1.00
4. Preparing recognizance, including all attendances and affidavits in connection therewith	3.00
5. If appellant deposit in lieu of security, all attendances.....	2.00
6. Attending to set down appeal	0.50

7. Respondent's Advocate attending to see if appeal entered for trial	0.50
8. Respondent's Advocate examining recognizance and papers filed	1.00
9. Every other and ordinary necessary attendance	0.50
10. Every necessary notice, including copy	0.50
11. Counsel Fee on hearing	10.00
12. Attending to hear judgment, when reserved.	0.50
13. Affidavit of disbursements, including copy and service	1.00
14. Each necessary copy of subpoena	0.50
15. All allowance to witnesses, the same fees and charges as allowed in civil cases.	
16. Necessary disbursements paid to proper officers and postage, the same as in civil cases.	

N.B.—The Judge may, in his discretion, allow an increased fee to Counsel in a proper case.

FEES TO CLERKS.

1. Receiving, filing, and entering in a proper Docket, each Notice of Appeal and all subsequent proceedings from any judgment on conviction by one or more Justices of the Peace, when an appeal to the Judge is given by law, (to be paid in the first instance by the party appealing)	2.00
2. When appeal called on reading the conviction, Notice of Appeal and Recognizance and all other services at the trial of such appeal case, including the receiving and recording the judgment (to be paid in advance by the appellant when he enters the appeal)	2.00
3. Issuing every subpoena	1.00
4. Issuing Process to enforce the order or judgment of the Court	2.00

5. Certified copies of depositions, examinations, convictions, judgments and other papers when required (to be paid by the party applying.) per folio of 100 words	0.10
6. Every search	0.25
7. Every Certificate of Judgment on appeal when necessary	1.00
8. Taxing Costs	1.00

No. 5 of 1887.

AN ORDINANCE RESPECTING THE OFFICE OF
SHERIFF.

[*Passed 19th November, 1887.*]

Be it enacted by the Lieutenant-Governor of the North-West Territories, in Council, as follows :

1. It shall be the duty of every Sheriff to keep his office open between the hours of ten in the forenoon and four in the afternoon, on all days except Sundays and holidays, and except Saturdays, when the same may be closed at one o'clock in the afternoon.

2. Every Sheriff shall make a return, on the first day of the month of January and July in each year, verified on oath before a Judge, to the Lieutenant-Governor, showing the emoluments of his office during the six months next preceding.

3. The Sheriff shall keep in his office, open to the inspection of any person the following books, namely :

(1.) Process Books—in which shall be entered a memorandum of every process other than writs of execution, or writs in the nature of writs of execution, received by the Sheriff, the Court out of which the same issued, the date of the receipt, the nature of the process, the names of the parties thereto, the Advocate by whom issued, the date of the return, and the nature of the return made thereto, or what was thereunder or therewith done respectively ;

(2) Execution books, for goods and lands respectively, in which shall be entered a memorandum of every writ of execution, or writ in the nature of a writ of execution, the Court out of which the same issued, the names of the parties thereto, the advocate by whom issued, the date of return, and the nature of

the return made thereto, or what was done thereunder or therewith; and

(3) A cash book, in which shall be entered all cash received or paid away by the Sheriff in his official capacity, or in connection with his office, for any service whatever—for fees, poundage service of process and papers, attendance at courts, moneys levied under execution, or under writs in the nature of writs of execution, or otherwise, the date of the receipt or payment, the cause, matter or service in which or on account of which the same was received or paid away.

(4) And a seal of office.

4. The said books and seal shall be supplied out of the General Revenue Fund of the North-West Territories.

5. All books, accounts, records, papers, writs, warrants, process, moneys and other matters and things in the possession or under the control of any Sheriff, by virtue of or appertaining to, his office as Sheriff, shall be the property of the Government of the North-West Territories, and the same and every of them shall, immediately upon the resignation, removal from office or death of any such Sheriff, be by the party in whose possession or control they may come or happen to be, handed over to and taken possession of by the successor in office of such Sheriff, or such person as the Lieutenant-Governor may appoint to receive the same.

6. No person except the successor in office of the Sheriff on resigning, being removed or dying, or the person so to be appointed by the Lieutenant-Governor as aforesaid, shall take, have, or hold any such books, accounts, records, papers, writs, warrants, process, moneys, or other matters or things; and any person having or holding any of the matters aforesaid shall forthwith on demand deliver over the same and

every of them to the said succeeding Sheriff or to the person so to be appointed as aforesaid; and upon any such person neglecting or refusing so to do, on conviction thereof before a Judge of the Supreme Court, he shall be liable to pay a penalty not exceeding one hundred dollars.

7. The Sheriff, after resigning office, or removal from office, or his heirs, executors or administrators, shall or may, at any and at all time or times thereafter have the right and be at liberty to have access to, search and examine into any or all accounts, books, papers, warrants and process of whatever kind, and all other matters or things which were formerly in possession of him the said Sheriff before his resignation or removal, and which at the time of making or requiring to make such search or examination are in the possession or control of the succeeding Sheriff, free of all costs, charges and expenses.

8. In case of the death, resignation or removal of the Sheriff, or of any Deputy where there is no Sheriff, after he has made a sale of lands but before he has made a deed of conveyance of the same to the purchaser, such deed of conveyance shall be made to the purchaser by the Sheriff, or the Deputy Sheriff, who is in office acting as Sheriff as aforesaid at the time when the deed of conveyance is made.

9. If the Sheriff goes out of office during the currency of any writ of execution against lands, and before the sale, such writ shall be executed and the sale and conveyance of the lands be made by his successor in office, and not by the old Sheriff.

10. The sureties of the Sheriff shall be liable to indemnify the party or parties to any legal proceedings against any omission or default of the Sheriff in not paying over moneys received by him, and against any damage sustained by any such party or parties in consequence of the Sheriff's wilful or neglectful misconduct in his office, and the Sheriff shall be

joint defendant in any action to be brought upon the covenant or security given by the Sheriff.

11. Any person sustaining any damage by reason of any such default or misconduct of any Sheriff may bring and maintain an action upon the said covenant or security for such default or misconduct, and such action shall not be barred by reason of any prior recovery by the same party upon the covenant, or security or of any judgment rendered for the defendant in any prior action upon the same covenant, or security, or by reason of any other action being then depending upon the same, either at the suit of the same plaintiff or of any other party, for any other distinct cause of action.

12. If upon the trial of any action upon any such covenant or security it is made to appear that the plaintiff is entitled to recover, and that the amount which such surety has paid or become liable to pay, as hereinafter mentioned, is not equal to the full amount for which he became surety the Court, after deducting from such full amount the sums which he has so paid or become liable to pay, as aforesaid, shall render judgment against him for any sum not exceeding the balance of the sum for which he became surety.

13. Where any such surety actually and *bona fide* and of his own proper moneys and effects has paid or become liable by virtue of a judgment or judgments recovered against him upon his said covenant or security, to pay an amount equal to the amount specified on the said covenant or security, for which he became surety, such covenant or security shall as to him be deemed to be discharged and satisfied, and no other or further sum shall be recovered against him.

14. It shall be competent for the Supreme Court, or a Judge thereof upon proof to the satisfaction of the Court,

or Judge of such payment or liability, in a summary manner, and at any stage of the cause, by stay of proceedings or otherwise, to prevent the recovery against any such surety of any further sum than the amount specified in his covenant or security, and for which he may have become surety.

15. Upon every writ of execution under a judgment recovered on such covenant or security, the plaintiff or his attorney shall, by an endorsement on the writ, direct the Coroner or other officer charged with the execution of such writ to levy the amount thereof upon the goods and chattels of the Sheriff in the first place, and in default of goods and chattels of the Sheriff to satisfy the amount, then to levy the same or the residue thereof of the goods and chattels of the other defendant or defendants in such writ, and so in like manner with any writ against lands and tenements upon a judgment on any such covenant or security.

16. Notwithstanding a Sheriff may have forfeited his office and become liable to be removed therefrom, the liability of himself and his sureties shall remain, until a new Sheriff has been appointed and sworn into office.

17. No Sheriff, Deputy Sheriff, Bailiff or Constable, shall directly or indirectly purchase any goods or chattels, lands or tenements, by him exposed to sale under execution.

18. If any Bailiff or Constable entrusted with the execution of any writ, warrant, process, mesne or final, wilfully misconducts himself in the execution of the same, or wilfully makes any false return to such writ, warrant or process, unless by the consent of the party in whose favor the process issued, he shall answer in damages to any party aggrieved by such misconduct or false return.

19. Every Deputy Sheriff, Bailiff or other Sheriff's Officer or clerk, entrusted with the custody of any writ or process, or of any book, paper or document belonging to the said

Sheriff or his office, shall, upon demand upon him by such Sheriff, restore and return such writ, process, book paper or document to the custody of the said Sheriff, and in case of any neglect or refusal to return or restore the same as aforesaid, the party so neglecting or refusing may be required by an order of the Supreme Court, or of any Judge of such Court, to return and restore such writ, process, book, paper or document to such Sheriff, and may be further proceeded against by attachment, as in other cases of contumacy to orders or rules of Court.

20. If any Deputy Sheriff, Bailiff, or Sheriff's Officer shall have in his possession, custody or control, any writ of summons, *feri facias*, or other writ, or any bench warrant or process whatsoever, and shall upon demand made by the Sheriff from whom the same may have been received, or his successor in office, or by any other party entitled to the possession of the same, neglect or refuse to deliver up the same, such Sheriff or his successor in office, or the party entitled to the possession of the same, may proceed by summons and order before any Judge having jurisdiction in the Court out of which such writ or process issued, to compel the production thereof; which order may be enforced in the same manner as like orders for the return of writs against Sheriffs, and with or without costs, or be discharged with costs against the party applying, in the discretion of the Judge aforesaid.

21. In case a Sheriff dies, resigns his office, and his resignation is accepted, or is removed therefrom, the Deputy Sheriff by him appointed shall nevertheless continue the office of Sheriff, and execute the same and all things belonging thereto in the name of the Sheriff so dying, resigning or being removed, until another Sheriff has been appointed and sworn into office; and the said Deputy Sheriff shall be answerable for the execution of the said office in all respects and to all intents and purposes whatsoever, during such interval as the Sheriff so dying, resigning, or having been removed would

by law have been, if he had been living or continuing in office, and the security given to the Sheriff so deceased, resigning or being removed, by his said Deputy Sheriff, and his pledges, as well as the security given by the said Sheriff shall remain and be a security to the Queen, Her Heirs and Successors, and to all persons whatsoever, for the due and faithful performance of the duties of his office during such interval by the said Deputy Sheriff.

22. Ordinance No. 4 of 1881 is hereby repealed.

No. 6 of 1887.**AN ORDINANCE TO AMEND AND EXTEND "THE
INTERPRETATION ORDINANCE."**

[*Passed 19th November, 1887.*]

Be it enacted by the Lieutenant-Governor of the North-West Territories, in Council, as follows :

1. Sub-section 23 of section 3 of the said Ordinance is hereby amended by striking out all the words after the words "by virtue of," and by inserting in lieu thereof the words, "the provisions contained in chapter 178 of the Revised Statutes of Canada, known as 'The Summary Convictions Act,' and any amendments that may hereafter be made thereto."

2. Section 3 is hereby further amended by adding the following sub-sections thereto :

(24.) The expression "Governor." "Governor of Canada," "Governor General," or "Governor in Chief," means the Governor General for the time being of Canada, or other the chief executive officer or administrator for the time being carrying on the Government of Canada on behalf and in the name of the Queen, by whatever title he is designated ;

(25.) The expression "Governor in Council," or "Governor General in Council," means the Governor General of Canada, or person administering the Government of Canada for the time being, acting by and with the advice of, or by and with the advice and consent of, or in conjunction with, the Queen's Privy Council for Canada ;

(26.) The words "Lieutenant-Governor in Council" means the Lieutenant-Governor of the North-West Territories, or the person administering, for the time

being, the Government of the North-West Territories by and with the advice of the Council of the North-West Territories ;

(27.) If the time limited by any Ordinance for any proceeding, or the doing of anything under its provisions, expires or falls upon a holiday, the time so limited shall be extended to, and such thing may be done on the day next following which is not a holiday ;

(28.) Whenever by any Ordinance, or by an order, regulation or commission made or issued by the Lieutenant-Governor, under any law authorizing him to require the taking of evidence under oath, an oath is authorized or directed to be made, taken or administered, such oath may be administered, and a certificate of its having been made, taken or administered, may be given by any one named in any such Ordinance, rule, order, regulation or commission, or by a Judge of any Court, a Notary Public, a Justice of the Peace, or a Commissioner for taking affidavits having authority or jurisdiction within the place where the oath is administered ;

(29.) The expression "sureties" means sufficient sureties, and the expression "security" means sufficient security, and whenever these words are used, one person shall be sufficient therefor unless otherwise expressly required ;

(30.) If anything is directed to be done by or before a Magistrate or a Justice of the Peace, or other public functionary or officer, it shall be done by or before one whose jurisdiction or powers extend to the place where such thing is to be done ;

- (31.) If in any Ordinance any person is directed to be imprisoned or committed to prison, such imprisonment or committal shall, if no other place is mentioned or provided by law, be in or to the common gaol of the locality in which the order for such imprisonment is made, or if there is no common gaol there, then in or to that common gaol which is nearest to such locality ; and the keeper of any such common gaol shall receive such person, and safely keep and detain him in such common gaol under his custody until discharged in due course of law, or bailed in cases in which bail may, by law, be taken ;
- (32.) Words making any association or number of persons a corporation or body politic and corporate, shall vest in such corporation power to sue and be sued, contract and be contracted with by their corporate name, to have a common seal, and to alter or change the same at their pleasure, and to have perpetual succession, and power to acquire and hold personal property or movables for the purposes for which the corporation is constituted, and to alienate the same at pleasure ; and shall also vest in any majority of the members of the corporation the power to bind the others by their acts ; and shall exempt the individual members of the corporation from personal liability for its debts or obligations or acts, provided they do not violate the provisions of the Ordinance incorporating them :
- (33.) The repeal of any Ordinance or part of an Ordinance shall not revive any Ordinance or provision of law repealed by such Ordinance or part of an Ordinance, or prevent the effect of any saving clause therein ;
- (34.) Whenever any Ordinance is repealed, wholly or in part, and other provisions are substituted, and

whenever any regulation is revoked and other provisions substituted, all officers, persons, bodies politic or corporate, acting under the old law or regulation, shall continue to act as if appointed under the new law or regulation until others are appointed in their stead; and all proceedings taken under the old law or regulation shall be taken up and continued under the new law or regulation, when not inconsistent therewith; and all penalties and forfeitures may be recovered and all proceedings had in relation to matters which have happened before the repeal or revocation, in the same manner as if the law or regulation was still in force, pursuing the new provisions as far as they can be adapted to the old law or regulation;

(35.) Whenever any Ordinance is repealed, wholly or in part, and other provisions are substituted all by-laws, orders, regulations, rules and ordinances made under the repealed Ordinance shall continue good and valid so far as they are not inconsistent with the substituted Ordinance, enactment or provision, until they are annulled and others made in their stead;

(36.) Whenever any Ordinance or part of an Ordinance is repealed, and other provisions are substituted by way of amendment, revision or consolidation, any reference in any unrepealed Ordinance, or in any rule, order or regulation made thereunder to such repealed Ordinance or enactment, shall, as regards any subsequent transaction, matter or thing, be held and construed to be a reference to the provisions of the substituted Ordinance or enactment relating to the same subject matter as such repealed Ordinance or enactment: Provided always, that where there is no provision in the substituted Ordinance or enactment relating to the same subject matter, the repealed Ordinance or enactment shall stand good and be read

and construed as unrepealed, in so far, but in so far only, as is necessary to support, maintain or give effect to such unrepealed Ordinance, or such rule, order or regulation made thereunder ;

(37.) Every Ordinance shall, unless by express provision it is declared to be a private Ordinance, be deemed to be a public Ordinance, and shall be judicially noticed by all judges, justices of the peace and others without being specially pleaded ;

(38.) Every copy of any Ordinance, public or private, printed by the Queen's Printer, shall be evidence of such Ordinance and of its contents : and every copy purporting to be printed by the said printer shall be deemed to be so printed, unless the contrary is shown ;

(39.) The preamble of every Ordinance shall be deemed a part thereof, intended to assist in explaining the purport and object of the Ordinance ; and every Ordinance and every provision or enactment thereof, shall be deemed remedial, whether its immediate purport is to direct the doing of any thing for the public good, or to prevent or punish the doing of any thing which it deems contrary to the public good—and shall accordingly receive such fair, large and liberal construction and interpretation as will best ensure the attainment of the object of the Ordinance and of such provision or enactment, according to its true intent, meaning and spirit ;

(40.) Nothing in this Ordinance shall exclude the application to any Ordinance, of any rule or construction applicable thereto, and not inconsistent with this section.

No. 7 of 187.

AN ORDINANCE TO AMEND AND CONSOLIDATE, AS AMENDED, ORDINANCE No. 5 OF 1881, INTITULED "AN ORDINANCE RESPECTING MORTGAGES AND SALES OF PERSONAL PROPERTY;" AND ORDINANCES AMENDING THE SAME.

[*Passed 19th November, 1887.*]

Be it enacted by the Lieutenant-Governor of the North West Territories, in Council, as follows :

1. For the purposes of Registration of mortgages and other transfers of personal property in the North-West Territories, the following shall be registration districts :

- (a.) The registration district of "Moosomin," comprising that part of Assiniboia eastward of the eleventh range of townships west of the Second Meridian ;
- (b.) The registration district of "Regina," comprising that part of Assiniboia west of the registration district of Moosomin, and east of the west line of the twenty-third range of townships west of the Third Meridian ;
- (c.) The registration district of "Medicine Hat," comprising all that portion of Assiniboia west of the registration district of Regina ;
- (d.) The registration district of "Macleod," comprising all that part of Alberta lying west of the registration district of Medicine Hat, and south of townships seventeen ;
- (e.) The registration district of "Calgary," comprising that portion of Alberta lying between townships sixteen and forty-three ;
- (f.) The registration district of "Edmonton," comprising all that portion of Alberta lying north of townships forty-two ;

(g.) The registration district of "Battleford," comprising all that portion of Saskatchewan lying west of the fifth range of townships west of the Third Meridian:

(h.) The registration district of "Prince Albert," comprising all that portion of Saskatchewan lying east of the Battleford registration district.

2. For the registration districts of Moosomin, Regina, Macleod, Calgary and Prince Albert, the clerks of the Supreme Court respectively shall be registration clerks, and for the registration districts of Medicine Hat, Edmonton and Battleford, such persons as the Lieutenant-Governor may appoint shall be registration clerks, who shall respectively keep their offices at Medicine Hat, Edmonton and Battleford.

3. Every mortgage or conveyance intended to operate as a mortgage of goods and chattels, made in the North-West Territories, which is not accompanied by an immediate delivery and an actual and continued change of possession of the things mortgaged, shall, within fifteen days from the execution thereof, be registered as hereinafter provided, together with the affidavit of a witness thereto, of the due execution of such mortgage or conveyance or of the due execution of the mortgage or conveyance and also with the affidavit of the mortgagee, or one of several mortgagees, or the agent of the mortgagee or mortgagees, if such agent is aware of all the circumstances connected therewith and is properly authorized to take such mortgage, stating that the mortgagor therein named is justly and truly indebted to the mortgagee in the sum mentioned in the mortgage, that it was executed in good faith and for the express purpose of securing the payment of money justly due or accruing due, and not for the purpose of protecting the goods and chattels mentioned therein against the creditors of the mortgagor or of preventing the creditors of

such mortgagor from obtaining payment of any claim against him; and every such mortgage or conveyance shall operate or take effect upon, from and after the day and time of the execution thereof.

4. In case of an agreement in writing for future advances for the purpose of enabling the borrower to enter into and carry on business with such advances, and in case of a mortgage of goods and chattels for securing the mortgagee repayment of such advances, or in case of a mortgage of goods and chattels for securing the mortgagee against the endorsement of any bills or promissory notes or any other liability by him incurred for the mortgagor, not extending for a longer period than one year from the date of the mortgage, and in case the mortgage is executed in good faith, and sets forth fully by recital or otherwise, the terms, nature and effect of the agreement and the amount of liability intended to be created, and in case such mortgage is accompanied by the affidavit of a witness thereto of the due execution thereof, and by the affidavit of the mortgagee or one of several mortgagees, or in case the agreement has been entered into and the mortgage taken by an agent duly authorized to make such agreement and take such mortgage, and if the agent is aware of the circumstances connected therewith, then, if accompanied by the affidavit of such agent, such affidavit, whether of the mortgagee or his agent stating that the mortgage truly sets forth the agreement entered into between the parties thereto, and truly states the extent of the liability intended to be created by such agreement and covered by such mortgage, and that such mortgage is executed in good faith and for the express purpose of securing the mortgagee repayment of his advances or against the payment of the amount of his liability for the mortgagor, as the case may be, and not for the purpose of securing the goods and chattels mentioned therein against the creditors of the mortgagor, nor to prevent such creditors from recovering any claims which they may have against such mort-

gagor, and in case such mortgage is registered as hereinafter provided, within fifteen days from the execution thereof, the same shall be as valid and binding as mortgages mentioned in the third section of this Ordinance.

5. Every sale, assignment and transfer of goods and chattels not accompanied by an immediate delivery and followed by an actual and continued change of possession of the goods and chattels sold shall be in writing, and such writing shall be a conveyance under the provisions of this Ordinance, and shall be accompanied by an affidavit of a witness thereto of the due execution thereof, and an affidavit of the bargainee, or one of several bargainees, or of the agent of the bargainee or bargainees, duly authorized in to take such conveyance that the sale is *bona fide* and for good consideration, as set forth in the said conveyance, and not for the purpose of holding or enabling the bargainee to hold the goods mentioned therein against any creditors of the bargainor; and such conveyance and affidavits shall be registered as hereinafter provided within fifteen days from the executing thereof, otherwise the sale shall be absolutely void as against the creditors of the bargainor and as against subsequent purchasers or mortgagees in good faith.

6. Such registration shall only have effect in the registration division wherein such registration has been made.

7. In case such mortgage or conveyance and affidavits are not registered as hereinbefore provided, the mortgage or conveyance shall be absolutely null and void as against creditors of the mortgagor, and against subsequent purchasers or mortgagees in good faith for valuable consideration.

8. All the instruments mentioned in this Ordinance, whether for the mortgage or sale, assignment or transfer of goods and chattels, shall contain such sufficient and full description thereof, that the same may be readily and easily

known and distinguished, except in the case of assignments for the general benefit of creditors, in which case the description shall be sufficient if it is in the following words: "All my personal property which may be seized and sold under execution," or words to that effect.

9. The proper registration office for instruments, being mortgages and transfers of personal property, shall be the clerk of the registration district in which the property described in the mortgage or transfer is at the time of the execution of the instrument; such registration clerks shall file all such instruments presented to them respectively for that purpose, and shall endorse thereon the time of receiving the same in their respective offices, and the same shall be kept there for the inspection of all persons interested therein, or intending or desiring to acquire any interest in all or any portion of the property covered thereby.

10. Every such clerk shall number each instrument or copy filed in his office, and shall enter in alphabetical order in a book to be provided by him the names of all the parties to such instrument, with the number endorsed thereon opposite to each name; and such entry shall be repeated alphabetically under the name of every party thereto.

11. Every mortgage thereof filed in pursuance of this Ordinance shall cease to be valid as against the creditors of the persons making the same, and against subsequent purchasers or mortgagees in good faith for valuable consideration, after the expiration of one year from the filing thereof, unless within thirty days next preceding the expiration of the said term of one year a statement exhibiting the interest of the mortgagee in the property claimed by virtue thereof, and a full statement of the amount still due for principal and interest thereon, and of all payments made on account thereof, is again filed in the office of the registration clerk of the division where the property is then situate, with an affidavit of the mortgagee or of one of

several mortgagees, or of the assignee or one of several assignees, or of the agent of the mortgagee or assignee, or mortgagees or assignees, duly authorized for that purpose, as the case may be, stating that such statements are true, and that the said mortgage has not been kept on foot for any fraudulent purpose.

12. Such statement and affidavit shall be in the following form, or to the like effect:

STATEMENT exhibiting the interest of C. D. in the property mentioned in a chattel mortgage dated the day of A.D. 18 , made between A. B., of of the one part, and C. D., of of the other part, and filed in the office of the registration clerk of district, [as the case may be,] on the day of 18 , and of the amount due for principal and interest thereon, and of all payments made on account thereof.

The said C. D. is still the mortgagee of the said property, and has not assigned the said mortgage [or the said E. F. is the assignee of the said mortgage by virtue of an assignment thereof from the said C. D. to him, dated the day of 18 , or as the case may be.]

No payments have been made on account of the said mortgage [or the following payments, and no other, have been made on account of the said mortgage:

18 .—Jan. 1.—Cash received.....\$]

The amount still due for principal and interest on the said mortgage is the sum of dollars, computed as follows:

[Here give the computation.]

North-West Territories. }
To wit.

C. D.

I, of the mortgagee named in the chattel mortgage mentioned in the foregoing [or annexed statement [or assignee] of the mortgagee named in the chattel mortgage mentioned in the

foregoing [or annexed] statement, as the case may be], make oath and say :

1. That the foregoing [or annexed] statement is true.
2. That the chattel mortgage mentioned in the said statement has not been kept on foot for any fraudulent purpose.

Sworn before me at
 in the North-West Territories, }
 this day of 18 }

13. The affidavit required by the ninth section may be made by any next of kin, executor or administrator of any deceased mortgagee, or by an assignee having by or through any mortgagee, or any next of kin, executor or administrator of any such assignee; but if the affidavit is made by any assignee, next of kin, executor or administrator of any such assignee, the assignment, or the several assignments through which such assignee claims shall be filed in the office in which the mortgage is originally filed, at or before the time of such re-filing by such assignee, next of kin, executor or administrator of such assignee.

14. A copy of such original instrument, or of a copy thereof, so filed as aforesaid, including any statement made in pursuance of this Ordinance, certified by the clerk in whose office the same has been filed, shall be received in evidence in all courts, but only of the fact that such instrument or copy and statement, were received and filed according to the endorsement of the clerk thereon, and of no other fact; and in all cases the original endorsement by the said clerk, made in pursuance of this Ordinance upon any such instrument or copy, shall be received in evidence only of the fact stated in such endorsement.

15. Where any mortgage of goods and chattels is registered under the provisions of this Ordinance, such mortgage may be discharged by the filing in the office in which the same is registered of a certificate signed by the mortgagee,

his executors or administrators, in the form given to the schedule hereto, or to the like effect.

16. The officer with whom the chattel mortgage is filed, upon receiving such certificate, duly proved by the affidavit of a subscribing witness, shall, at each place where the number of such mortgage has been entered with the name of any of the parties thereto, in the book kept under section 10 of this Ordinance, or wherever otherwise in the said book the said mortgage has been entered, write the words, "Discharged by certificate number (stating the number of the certificate);" and to the said entry such officer shall affix his name, and he shall also endorse the fact of such discharge upon the instrument discharged, and shall affix his name to such endorsement.

17. In case any registered chattel mortgage has been assigned, such assignment may, upon proof by the affidavit of a subscribing witness, be numbered and entered in the alphabetical chattel mortgage book in the same manner as a chattel mortgage, and the proceedings authorized by the two next preceding sections of this Ordinance may and shall be had upon a certificate of the assignee, proved in manner aforesaid.

18. In the event of the permanent removal of goods and chattels, mortgaged as aforesaid, from the registration district in which they were at the time of the execution of the mortgage to another registration district, before the payment and discharge of the mortgage, a certified copy of such mortgage, under the hand of the registration clerk in whose office it was first registered and of the affidavit and documents and instruments relating thereto, filed in such office, shall be filed with the registration clerk of the district to which such goods and chattels are removed within three weeks from such removal, otherwise the said goods and chattels shall be liable to seizure and sale under execution, and in such case the mortgage shall be null and void as

against subsequent purchasers and mortgages in good faith for valuable consideration and as if never executed.

19. For services under this Ordinance each clerk aforesaid shall be entitled to receive the following fees:

- (1) For filing each instrument and affidavit, and for entering the same in a book as aforesaid, fifty cents;
- (2) For filing assignment of each instrument and for making all proper endorsements in connection therewith, fifty cents;
- (3) For filing certificate of discharge of each instrument and for making all proper entries and endorsements connected therewith, fifty cents;
- (4) For searching for each paper, twenty-five cents;
- (5) For copies of any document filed under this Ordinance, ten cents for every hundred words;
- (6) For every certificate, fifty cents.

20. All affidavits and affirmations required by this Ordinance shall be taken and administered by any commissioner for taking affidavits, justice of the peace or notary public in or out of the Territories, or registration clerk, and the sum of twenty-five cents shall be paid for every oath thus administered.

21. The Registration Clerks appointed under this Ordinance shall attend at their respective offices and keep the same open between the hours of ten in the forenoon and four in the afternoon, on all days except Sundays and holidays and except on Saturdays, when the same may be closed at one o'clock in the afternoon.

22. After the passing of this Ordinance, every person with whom any mortgage or conveyance of personal property, or any renewal thereof, has heretofore been filed, and who, were this Ordinance in force, would not be the proper officer for such purpose, shall within three months after the passing of this Ordinance, on payment of a fee of one dollar and the necessary postage, transmit the same to the Registration Clerk, who, had this Ordinance been in force, would be the proper Registration Clerk to file the same, and the said mortgages and conveyances or renewals, on being transmitted as aforesaid, shall have the same priority and effect as the same would have had if originally filed with the Registration Clerk to whom the same are transmitted and every original filing is hereby confirmed.

23. Mortgages and conveyances of personal property or any renewal thereof, purporting to be filed on or after the Eighteenth day of February, A.D. 1887, by persons who before that date were Clerks of the High Court of Justice are hereby declared duly filed; Provided that priorities existing shall not be disturbed by this Ordinance.

24. Every mortgage and conveyance of personal property or renewal thereof, which, had this Ordinance been in force would properly have been filed in either of the offices of the Registration Clerks at Medicine Hat, Edmonton or Battleford, respectively, and are on file in any of said places, shall, within three months after the passing of this Ordinance, be transmitted by the officer in whose charge the same may be, to the Registration Clerk, who, had this Ordinance been in force, would have been the proper person to file the same and the said mortgages, conveyances, or renewals, on being transmitted as aforesaid, and filed by the said Registration Clerk, shall have the same priority and effect as the same would have had if originally filed with the Registration Clerk to whom the same are transmitted, and every original filing of such mortgages and conveyances is hereby confirmed.

SCHEDULE.

Vide Section Fifteen.

FORM OF DISCHARGE OF MORTGAGE.

To the Registration Clerk of

District.

I, A.B., of _____ do certify that _____
has satisfied all money due on, or to grow due on, a certain chattel
mortgage made by _____ to _____
which mortgage bears date the _____ day of _____
A.D. 18 __, and was registered [or in the case the mortgage has been re-
newed under sections eleven and twelve, was renewed] in the office of
the Registration Clerk of the District of _____
on the _____ A.D., 18 __
as number _____ [here mention the day and date of registration of
each assignment thereof, and the names of the parties, or mention that
such mortgage has not been assigned, as the fact may be]; and that I
am the person entitled by law to receive the money; and that such
mortgage is therefore discharged.

Witness my hand this

day of

A.D. 18

A: B,

Witness, stating residence and occupation.

No. 8 of 1887.

AN ORDINANCE RESPECTING AGRICULTURAL SOCIETIES IN THE NORTH-WEST TERRITORIES.

[*Passed 19th November, 1887.*]

Be it enacted by the Lieutenant-Governor of the North-West Territories, in Council, as follows :

1. An Agricultural Society shall be held to be organized under the provisions of this Ordinance whenever fifty persons, over eighteen years of age, have signed a declaration, naming a place where the society purposes to hold its first exhibition, and forwarded the same to the Lieutenant-Governor, with an accompanying certificate, signed by one of the subscribers and verified before a Justice of the Peace or a Notary Public ; such declaration and certificate to be in form A of this Ordinance.

Provided always that the applicants shall reside within twenty-five miles of the place where such first exhibition is to be held, and have not already signed any declaration for the establishment of an existing Agricultural Society under this Ordinance.

2. Upon receipt of an acknowledgment of the declaration from the Lieutenant-Governor, the party making the declaration, or, in his absence, any one appointed by the Lieutenant-Governor shall call a meeting for the election of the various officers by public notice published for two weeks in the nearest newspaper, or posted in five conspicuous places, at least fifteen days before the time fixed for holding such meeting, and it shall be held in a central and convenient place.

3. Any person may become a member of an Agricultural Society organized under this Ordinance by paying to the Treasurer thereof yearly the sum of one dollar.

4. The object of the said Societies shall be to encourage improvement in Agriculture :

- (a) By importing or otherwise procuring seeds, plants and animals of new and valuable kinds ;
- (b) By awarding prizes for excellence in the raising or introduction of stock, the invention or improvement of agricultural implements or machines, the production of grain and all kinds of vegetables, plants, flowers and fruits, home manufactures and works of art, and generally for excellence in any agricultural production or operation ;
- (c) By offering prizes for essays on questions of scientific enquiry relating to agriculture, and the best systems of protection against prairie fires.

5. The funds of the Society, however derived, may be expended for any object not inconsistent with those authorized by this Ordinance.

6. The annual meeting of every Society shall be held on the first Monday in December in each year, when there shall be elected a President, two Vice-Presidents, a Secretary-Treasurer and not less than seven Directors and an Auditor, another to be appointed by the President then elected ; and the place for holding the annual exhibition shall be also then decided ; and the persons entitled to vote at such meeting shall be paid-up members for the ensuing year.

7. The meeting of the officers shall be held pursuant to adjournment, or called by written notice given by authority of the President, or in his absence of the senior Vice-President, at least ten days before the day appointed, and at any meeting, five shall be a quorum.

8. The said Officers and Directors shall, in addition to the

ordinary duties of management, cause to be prepared, and shall present at the annual meeting, a report of their proceedings during the year, in which shall be stated the names of all the members of the Society, the amount paid by each set opposite his name, the names of all persons to whom prizes have been awarded, the amount of such prizes respectively, together with such remarks and suggestions upon Agriculture in the District, as the Directors are enabled to offer.

9. There shall also be presented to the said annual meeting, a detailed statement of the receipts and disbursements of the Society during the year.

10. The said report and statement, if approved by the meeting, shall be entered in the Society's Journal, kept for such purpose, and signed by the President, or Vice-President as being a correct entry; and a true copy thereof, certified, by the President and Secretary for the time being, shall be sent to the Lieutenant-Governor, on or before the fifteenth day of January next following the date of such meeting.

11. The said Officers and Directors shall answer and give such information as the Lieutenant-Governor may, from time to time, require, touching the interest or condition of agriculture in their districts.

12. Whenever the President and Secretary of a society formed under this Ordinance, have transmitted to the Lieutenant-Governor a certificate in Form B of this Ordinance, showing the organization of such Society, the number of members forming the same, which shall be at least seventy-five, the amount of subscriptions paid up, and funds subscribed, the Lieutenant-Governor in Council, may grant to the said Society, out of the general revenue fund of the North-West Territories, a sum not exceeding the amount subscribed by the said Society.

13. Each Society formed under this Ordinance shall be a Corporation with a Corporate Seal, under the name of the

Agricultural Society of (inserting the name of the Society) and shall have power to acquire and possess real estate and to dispose of the same for all purposes of the said Society.

14. Ordinance No. 8 of 1886 is hereby repealed.

15. This Ordinance shall be known and may be cited as "The Agricultural Societies Ordinance of 1887."

SCHEDULE.

FORM A.

(Vide Section 1.

We, the undersigned, each being over eighteen years of age and residing within twenty-five miles of (*name of place*) being the proposed place of holding the first exhibition, agree to form ourselves into a Society, under the provisions of the Agricultural Societies Ordinance of 1887, under the name of (*name of Society*) and we respectively promise to pay to the Treasurer of the said Society, annually, as long as we continue members thereof, the sum set opposite our respective names and to conform ourselves to the By-Laws and Regulations of the said Society.

And we hereby state that we have not previously signed any declaration for the establishment of an existing Agricultural Society under the said Ordinance.

Name.	Subscription.
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I, _____ of _____ one of the Subscribers to the above declaration, hereby certify that the sum of at least one dollar has been paid by each of the above Subscribers, as his first annual subscription to the proposed Agricultural

Society of (*insert proposed name of Society*); and that I hold, on behalf of the said proposed Society, the several amounts so paid.

Sworn before me at

in the North-West Territories, this

day of 188

} Signature of
Subscriber.

J. P. or N. P.

FORM B.

(See Section 12.)

We, A. B., President of the Agricultural Society of
and C. D., Secretary of the said Society, certify and declare that the
said Society is now regularly organized, that the actual number of
Members is , and that the sum of has been
subscribed, by and is now at the disposal of the said Society

A. B., President.

C. D., Secretary.

Dated this day of 188 .

No. 9 of 1887.

AN ORDINANCE TO AMEND ORDINANCE No. 3 OF 1886, INTITULED "THE COMPANIES ORDINANCE."

[*Passed 19th November, 1887.*]

Be it enacted by the Lieutenant-Governor of the North-West Territories, in Council, as follows :

1. Section 8 of Ordinance No. 3 of 1886 is hereby amended by expunging the words "any portion not exceeding one-half of."

2. Section 90 of the said Ordinance is hereby amended by inserting after the word "Canada" the words "or Insurance Companies licensed by the Dominion Government to do business in Canada," and by expunging the last 19 words thereof.

3. Section 91 of the said Ordinance is hereby amended by expunging therefrom the word "Foreign."

4. The word "President," wherever it occurs in the said Ordinance shall include "Chairman."

SPECIAL CLAUSES FOR JOINT STOCK WATER AND GAS
COMPANIES.

5. In addition to the general provisions of this Ordinance the provisions contained in the twenty-seven sections next following shall apply to Gas and Water Companies, and to them only.

6. Every petition for the incorporation, by Letters Patent, of Joint Stock Companies, for supplying towns and villages with gas or water, or with both gas and water, shall be accompanied by a duly certified copy of a by-law of the Municipal Council of the Municipality in which the operations of the Company are to be carried on, granting authority to the persons desiring to form the Company to

lay down pipes for the conveyance of water or gas, or both, under the streets, squares, and other public places of such Municipality.

7. The by-law mentioned in the next preceding section shall be passed within two months from the date of the petition for incorporation.

8. Every Company may sell and dispose of gas meters, and gas and water fittings of every description for the use of private and public houses, or for any establishment, company or corporation whatsoever, as well as coke, coal, tar, and all and every the products of their works, refuse or residuum arising or to be obtained from the materials used in or necessary for the manufacture of Gas: and every Company may let out to hire gas meters, and gas and water fittings of every kind and description, at such rate and rents as may be agreed upon between the consumers and tenants and such Company.

9. Any such Company may break up, dig and trench so much and so many of the streets, squares, highways, lanes and public places of the Municipalities for supplying which with Gas or Water, or both, the Company has been incorporated, as are necessary for laying the mains and pipes to conduct the Gas or Water, or both, from the works of the Company to the consumers thereof, doing no unnecessary damage in the premises, and taking care as far as may be to preserve a free and uninterrupted passage through the said streets, squares, highways, lanes and public places, while the works are in progress. (C. S. C. c. 65, s. 53.

10. When any such Company has laid down main pipes for the supply of Gas or Water or through any of the streets, squares, or public places of any Municipality, no other person or persons, bodies politic or corporate, shall, without the consent of such Company first had and obtained, nor otherwise than upon payment to such Company of such

compensation as may be agreed upon, lay down any pipe for the supply of Gas or Water within six feet of such Company's main pipes, or if it be impracticable to cut drains for such other main pipes at a greater distance, then as nearly six feet as the circumstances of the case will admit.

11. When there are buildings within the Municipality the different parts whereof belong to different proprietors, or are in possession of different tenants or lessees, the Company may carry pipes to any part of any building so situate passing over the property of one or more proprietors or in the possession of one or more tenants to convey the Gas or Water, or both, to the property of another or in the possession of another, and such pipes shall be carried up and attached to the outside of the building.

12. The Company may also break up and uplift all passages common to neighboring proprietors or tenants, and dig or cut trenches therein for the purpose of laying down pipes or taking up or repairing the same, doing as little damage as may be in the execution of the powers granted by this Ordinance.

13. Every Company shall make satisfaction to the owners or proprietors of buildings or other property, or to the public, for all damages by them sustained in or by the execution of all or any of the said powers, subject to which provisions this Ordinance shall be sufficient to indemnify every such Company and their servants, and those by them employed, for what they or any of them do in pursuance of the powers hereby granted.

14. Every such Company shall construct and locate their Gas Works and Water Works, and all apparatus and appurtenances thereto belonging, or appertaining, or therewith connected, and wheresoever situated, so as not to endanger the public health or safety.

15. Nothing contained in this Ordinance shall authorize any such Company, or any person acting under the authority of the same, to take, use or injure for the purposes of the Company, any house or other building, or any land used or set apart as a garden, orchard, yard, park, paddock, plantation, planted walk or avenue to a house, or nursery ground for trees, or to convey from the premises of any person any water already appropriated and necessary for his domestic uses, without the consent, in writing, of the owner or owners thereof first had and obtained.

16. Nothing in this Ordinance shall authorize any Company established under it to interfere with or infringe upon any exclusive privilege granted to any other Company.

17. Nothing in this Ordinance contained shall prevent any person from constructing any works for the supply of gas or water to his own premises.

18. Neither the service nor the connecting pipes of the Company, nor any meters, lustres, lamps, pipes, gas fittings, or any other property of any kind whatsoever of the Company, shall be subject to or liable for rent, nor liable to be seized or attached in any way by the possessor or owner of the premises wherein the same may be, nor be in any way whatsoever liable to any person for the debt of any person to and for whose use or the use of whose house or building the same may be supplied by the Company, notwithstanding the actual or apparent possession thereof, by such person.

PROHIBITIONS AND PENALTIES.

19. If any person lays or causes to be laid, any pipe or main to communicate with any pipe or main belonging to the Company or in any way obtain or use gas or water without the consent of the Company, he shall forfeit and pay to the Company the sum of twenty dollars, and also a further sum of four dollars for each day during which

such communication remains, which sum, together with the costs of suit in that behalf incurred, may be recovered by civil action.

20. If any person :—

(1) Bathes or washes or cleans any cloth, wool, leather, skin, animals, or nauseous or offensive thing, or casts, throws, or puts any filth, dirt, or nauseous thing or causes, permits, or suffers the water of any sink, sewer, or drain to run or be conveyed into or causes any other annoyance to be done within any reservoir, cistern, pond, source or fountain from which the water belonging to the Company is to be supplied or conveyed ; or

(2) Increases the supply of gas or water agreed for with the Company, by increasing the number or size of the holes in the gas burners, or using the gas without burners, or otherwise wrongfully, negligently or wastefully burning the same, or by wrongfully or improperly burning the same, or by wrongfully or improperly wasting the water or gas ; such person shall, on conviction thereof before a Justice of the Peace, in a summary way, be ordered to pay, for the use of the Company, a penalty not exceeding twenty dollars, together with the costs of prosecution, and in default of payment, to be imprisoned with or without hard labor, for a space of time not exceeding three months.

21. If any person wilfully or maliciously damages or causes, or knowingly suffers to be damaged, any meter, lamp, lustre, service pipe, or fittings belonging to the Company, or wilfully impairs or knowingly suffers the same to be altered or impaired, so that the meter or meters indicate less gas than actually passes through the same, such person shall incur a penalty to the use of the Company for every such

offence, of a sum of not less than four dollars, nor exceeding twenty dollars, and shall also pay all charges necessary for the repairing or replacing the said meter, pipes or fittings, and double the value of the surplus gas so consumed; such damages, penalties and charges to be recovered with costs as hereinafter provided.

22. If any person wilfully extinguishes any of the public lamps or lights or wilfully removes, destroys, damages, fraudulently alters, or in any way injures any pipe, pedestal, post, plug, lamp, or other apparatus or thing belonging to the Company, he shall forfeit and pay to the use of the Company, a penalty not less than four dollars, nor more than twenty dollars, and shall also be liable to make good all damages and charges, to be recovered with costs, as hereinafter provided.

23. If any person supplied by the Company with gas or water, or both, neglects to pay the rent rate or charge due to the Company at any time of the times fixed for the payment thereof, the Company, or any person acting under their authority, on giving forty-eight hours previous notice, may stop the supply of gas or water, or both, from entering the premises of the person in arrear as aforesaid, by cutting off the service pipe or pipes, or by such other means as the Company or its officers see fit, and may recover the rent or charge due up to such time, together with the expense of cutting off the gas or water, or both, as the case may be, in any competent Court, notwithstanding any contract to furnish for a longer time.

24. In all cases where the Company may lawfully cut off and take away the supply of gas or water or both from any house, building, or premises, the Company, their agents, their workmen, upon giving forty-eight hours previous notice to the person in charge, or the occupier, may enter into the house, building, or premises, between the hours of nine o'clock in the forenoon and five o'clock in the after-

noon, making as little disturbance and inconvenience as possible, and may remove and take away any pipe, meter, cock, branch, lamp, fitting or apparatus, the property of and belonging to the Company, and any servant duly authorized by the Company, may, between the hours aforesaid, enter any house into which gas or water, or both, have been taken for the purpose of repairing and making good any such house, building or premises, or for the purpose of examining any meter, pipe, or apparatus belonging to the Company, or used for their gas or water, or both, and if any person refuses to permit or does not permit the servants and officers of the Company to enter and perform the acts aforesaid, the person so refusing or obstructing, shall incur a penalty to the Company for every such offence of twenty dollars, and a further penalty of four dollars for every day during which such refusal or obstruction continues, to be recovered with costs as hereinafter provided.

25. Where any customer discontinues the use of the gas or other means of lighting or heating, or water, furnished by a Company incorporated under the said Ordinance, or the Company lawfully refuses to continue any longer to supply the same, the officers and servants of the company may at all reasonable times enter the premises in or upon which such customer was supplied with gas, or other means of lighting or heating, or water, for the purpose of removing therefrom any fittings, machines, apparatus, meters, pipes or other things being the property of the company, in or upon such premises, and may remove the same therefrom, doing no unnecessary damage.

ENFORCEMENT OF PENALTIES.

26. Proceedings for fines, penalties and forfeitures imposed by this Ordinance may be taken by the Company, or by any such person whose property is injured, to and for the use of the

Company, or such person, either in the manner hereinbefore directed or before a Justice or Justices of the Peace in a summary way.

ARBITRATIONS.

27. If it is found necessary or deemed proper to conduct any of the pipes, or to carry any of the works of the Company through the lands of any person lying within or within ten miles of the Municipality for supplying which the Company is incorporated, and the consent of such person cannot be obtained for that purpose, the Company may nominate and appoint one indifferent person, and the owner or owners of the land taken or damaged may nominate and appoint another indifferent person, which two persons so appointed shall nominate and appoint a third person, and the said three persons shall act as arbitrators in such matter of dispute between the Company and the owner or owners of the property.

28. The said arbitrators shall examine all witnesses and administer all necessary oaths or declarations to them, and the said arbitrators, or a majority of them, shall award determine and adjudge what sum or sums of money respectively shall be paid to the owner or owners of the property so taken or damaged by the Company.

29. The sum or sums of money so awarded shall be paid within three months after the date of the award, and in default of such payment the proprietor may resume the possession of his property, with all the rights appertaining thereto.

30. In the event of the Company or the owner of such property failing to appoint an arbitrator, after eight days' notice from one of the said parties to the other, or of the said two arbitrators failing to appoint a third, the Judge of the Supreme Court usually exercising jurisdiction in the

Judicial District within which the said property lies may appoint a third arbitrator, and the decision of the said three arbitrators, or a majority of them, shall be binding on all parties concerned.

No. 10 of 1887.**AN ORDINANCE TO AMEND AND CONSOLIDATE
AS AMENDED, "THE MARKING OF STOCK
ORDINANCE, 1884."**

[Passed 19th November, 1887.]

Be it enacted by the Lieutenant-Governor of the North-West Territories, in Council, as follows:—

1. In this Ordinance the word "brand" shall mean brand or mark or vent brand, and the word "stock" shall include any horse, mule, ass, swine, sheep or goat, as well as any neat cattle or animal of the bovine species.

2. The Lieutenant-Governor may, whenever he thinks it desirable that the provisions of this Ordinance should apply to any part of the North-West Territories, set apart by proclamation any portion thereof, to form and be known as a stock-district, and designated by a number, commencing with "one," and so on, as different districts are so set apart,

3. The Lieutenant-Governor shall name a person who shall be recorder of brands for the District so formed, whose office shall be kept at a place to be designated by the Lieutenant-Governor.

4. The Lieutenant-Governor shall name two suitable persons, who, together with the recorder, shall form a Brand Committee for the District.

5. The Brand Committee shall meet at the office of the Recorder of Brands at least once in every month to consider applications for recorded brands according to priority of application to the recorder, and shall designate the particular brand to be used by any applicant, and define the place and position it shall occupy on the animal, consulting always the choice or convenience of applicants, so far as may be, without interfering with previously recorded brands.

6. The recorder shall keep a record of all brands with a fac-simile of the same, the name and residence of the person owning the same, in a book suitable for that purpose (which book shall be paid for by the Lieutenant-Governor out of the General Revenue of the North-West Territories, and shall be the property of the North-West Government, and shall be free to the inspection of all persons interested;) and shall furnish to any person, on application, a certified copy of any brand so recorded, which certificate shall be deemed evidence in law.

7. Any person using a like brand in the position or place recorded by another, or obliterating, altering or defacing the recorded brand of any other person, shall be liable on conviction in a summary manner, before a Justice of the Peace, to a fine of not more than one hundred dollars, and in default of payment of such fine, to imprisonment, not exceeding forty days for each offence.

8. It shall be the duty of every person who sells stock to another party to brand such stock with a vent brand, which vent brand shall not in any case be placed in such a position as to obliterate or efface the original brand, and where any such vent brand shall have been branded as above, it shall be *prima facie* evidence of sale or transfer.

9. Every person recording a brand shall also at the same time record and register his vent brand.

10. If any person hereafter shall brand or cause to be branded any stock the property of another person, without that other person's consent, he shall pay the owner of the same three times the value of the animal so branded, and any such owner may sue for and recover the same in any Court of competent jurisdiction.

11. The owner of any recorded brand may, by writing, transfer the same to any person, who may record the trans-

for and the transferee shall have thereafter all the rights of the person who first recorded it.

12. The presence of a recorded brand on any animal shall be *prima facie* evidence of the ownership of such animal by be owner of such brand.

13. The following fees shall be payable to the recorder, for recording each brand, two dollars; for each certified copy of every recorded brand, fifty cents; for every search or brand, twenty-five cents.

14. The Recorder shall, on the first day of the month of January and July in each year, make a return to the Lieutenant-Governor, verified on oath before a Judge of the Supreme Court, showing the emoluments of his office during he six months next preceding.

15. All brands or marks recorded by Charles E. D. Wood, acting as Recorder of Marks for Stock District No. 1, are ereby ratified and confirmed as properly recorded under Ordinance No. 14 of 1884.

16. Ordinance No. 14 of 1884, is hereby repealed.

17. This Ordinance may be cited as "The Brand Ordinance 1887."

No. 11 of 1887.

AN ORDINANCE TO AMEND AND CONSOLIDATE,
AS AMENDED, THE SEVERAL ORDINANCES
FOR THE PROTECTION OF GAME.*(Passed 19th November, 1887.)*

Whereas it is desirable to protect Game in the North-West Territories,

Be it enacted by the Lieutenant-Governor of the North-West Territories, in Council, as follows:

1. No elk, moose, cariboo, antelope, deer, or their fawn, mountain sheep or goat, or hare; shall be hunted, taken or killed between the First day of February and the First day of September in any year.

2. No person shall fire at, hunt, take or kill, in any year:

(1.) Any plover or snipe between the First day of May and the Fifteenth day of August;

(2.) Any grouse, partridge, pheasant or prairie chicken, between the First day of February and the First day of September;

(3.) Any kind of wild duck, sea duck, widgeon or teal between the Fifteenth day of May and the Fifteenth day of August.

3. No person shall at any time disturb, injure, gather or take the eggs of any species of wild fowl mentioned in the preceding section.

4. None of the contrivances for the taking, or killing of the wild fowl known as swans, geese or ducks, which are described as swivel guns, batteries, sunken punts, or night

lights, shall be used at any time, nor shall any person use grain, seed or other description of food steeped in opium, alcohol or other narcotics, for the purpose of stupifying and capturing any species of wild fowl, except geese.

5. No person shall hunt, trap, or kill, in any year :

(1.) Any mink or martin between the Fifteenth day of April and the First day of November ;

(2.) Any otter, beaver or fisher between the first day of May and the First day of October ;

(3.) Any muskrat between the Fifteenth of May and the First day of November.

6. No animal or bird named in the foregoing sections, except geese and hares, shall be taken or killed at any time by means of any rope, snare, spring, cage, net or trap of any kind, and no engine shall be, at any time for such purpose, placed, constructed, erected, or set either wholly or in part ; and any person finding any engine so placed, constructed, erected, or set, may take possession of or destroy the same, without such person thereby incurring any liability therefor.

7. No person except as hereinbefore mentioned shall have in his possession, custody or care, any animal or bird already mentioned, or any part of the carcase of such animal or bird, with the exception of the skin, during the period in which by the Ordinance the killing thereof is prohibited, or which appears to have been killed by any of the means forbidden by this Ordinance, but every such animal or bird or any portion or portions thereof may be bought or sold (when lawfully taken.) Possession of any animal or bird by any person in the close season, except as otherwise provided in this Ordinance shall be deemed *prima facie* evidence that the same was illegally taken.

8. The Lieutenant-Governor, or the Lieutenant-Governor in Council, or such person as may be deputed by him or them

for the purpose, may appoint guardians, having the power of constables, to enforce the provisions of this Ordinance. And every such guardian so appointed shall forthwith seize the carcasses of any animals or birds mentioned in the preceding sections, or any portion thereof found by him in the possession or custody of any person during any forbidden period, and which appear to him to have been taken or killed during such period, or by any of the illegal means set forth herein, and bring them before the nearest Justice of the Peace, who, unless the person in whose possession the said carcasses are found, establishes to the satisfaction of the said Justice by his oath or otherwise that the provisions of this Ordinance in that respect have not been contravened, shall declare them confiscated either in whole or in part.

9. All animals or birds, or portion of animals or birds so confiscated shall belong to the guardian.

10. Every such guardian may cause to be opened or may himself open in case of refusal, any bag, parcel, chest or box, trunk or other receptacle in which he has reason to believe that game taken or killed during the close season, are hidden.

11. Every offence against any of the provisions of this Ordinance shall be punishable by a fine not exceeding fifty dollars, and not less than five, and recoverable summarily on information or on summons only, issued by a Justice of the Peace, and such Justice of the Peace, on the proof which shall be thereof made, may impose the penalty with costs of prosecution, and such penalty shall belong to the general revenue fund of the Territories, and in default of immediate payment, the offender shall be imprisoned in the common gaol of the district where the offence was committed, for any period of time not exceeding two months; but every magistrate shall have power to convict on view.

12. No prosecution shall be brought after three calendar months from the day of the committing of the offence charged.

13. The Lieutenant-Governor, or any person by him thereunto empowered, may grant written permission, to any persons to procure birds or eggs, for scientific purposes, during the close season.

14. Notwithstanding anything hereinbefore contained, any traveller, family or other person in a state of actual want, may kill any bird or animal herein mentioned, and take any egg or eggs, hereinbefore referred to, for the purpose of satisfying his immediate want, but not otherwise.

15. The provisions of this Ordinance, except Section 3 shall not apply to Indians in any part of the Territories, with regard to any game actually killed for their own use only, and not for purposes of sale or traffic.

16. Ordinances No. 8 of 1883, No. 33 of 1884, and No. 15 of 1886, are hereby repealed.

No. 12 of 1887.

AN ORDINANCE RESPECTING STATUTE LABOR DISTRICTS.

[*Passed 19th November, 1887.*]

Be it enacted by the Lieutenant-Governor of the North-West Territories, in Council, as follows:—

1. In this Ordinance the word “Resident” shall mean any male occupant of lands over eighteen years of age and under the age of sixty, excepting clergymen and such others as are exempt by law, resident in the area established, or proposed to be established as a Statute Labor District.

2. Whenever the Lieutenant-Governor is satisfied, by such proof as he may require, that any portion of the North West Territories, not exceeding an area of 144 square miles and not either in part or wholly within the limits of any Municipality organized and in existence under an Ordinance of the Territories, contains a population of at least fifty residents, he may cause notices to be posted up in eight conspicuous and widely separated places within such area, of his intention to proclaim the same a Statute Labor District after the expiration of thirty days from such posting.

3. After the expiration of the thirty days named in the notice hereinbefore provided for, the Lieutenant-Governor shall issue the proclamation referred to in the notice, unless a majority of the residents within the area aforesaid, by petition, addressed to him, object to such formation:

(1) Such proclamation shall contain:

1 Number of district;

2 Description of the area composing the District;

and be published in the Official Gazette.

4. The Lieutenant-Governor shall thereafter appoint such resident, residing within the limits of the district so erected, as he thinks fit, to act as returning officer, and to call a public meeting forthwith of the residents of the District, by inserting an advertisement to that effect in two weekly consecutive issues of the newspaper published nearest to or within the district, and the meeting so called shall, by open voting, elect one of their number, being a resident, as overseer. The costs of such advertisement and meeting, as well as the cost of publishing the proclamation in the official Gazette, to be afterwards defrayed out of the funds of the district, as hereinafter provided.

5. Every resident voting for such overseer shall sign a declaration, as in Form A in the Appendix to this Ordinance, and record his vote and the land upon which he votes as provided in such Form, the order and direction of the voting being according to the discretion of the returning officer, but the poll shall be open for two hours after the returning officer has declared to the meeting that the poll was opened, and any person falsely recording himself as an occupant of lands within the district shall be liable, on summary conviction before a Justice of the Peace, to a fine of ten dollars and costs.

6. Immediately after the election of overseer, as provided in the preceding section, the returning officer shall make his return to the Lieutenant-Governor, accompanying his return with the record of the voters, having first verified such record on oath before a Justice of the Peace, or a Notary Public, as in Form B in the Appendix to this Ordinance.

7. The name of the overseer so elected shall be published in the first issue of the official Gazette published after the election so held, the costs of such publication being afterwards defrayed out of the funds of the district, as herein-

after provided; and such overseer shall hold office for two years from the date of such publication, unless the position become vacant through death, resignation or moving out of the district, and upon the expiration of his term, or in the event of the position becoming so vacant, the Lieutenant-Governor shall issue his writ, to such resident of the district as he may designate, for another election under the provisions of this Ordinance.

8. It shall be the duty of such overseer to assess a road-tax as hereinafter provided, upon all male inhabitants and occupiers or owners of real estate in the district over which he is overseer.

STATUTE LABOR.

9. Every resident shall be assessed one day; and the owner or occupant of every parcel of land in the said district to the extent of:—

Not more than 160 acres shall be assessed	
for	2 days
Over 160 and not more than 320 acres....	3 days
Over 320 and not more than 640 acres....	4 days
Over 640 and not more than 1280 acres ..	5 days
And for every additional 640 acres one day more;	

And every person so assessed shall be liable to do labor on the highways and roads, as hereinafter provided. §

10. The overseers shall, on or before the first day of June in each year, make out their road lists, containing the names of all persons liable to do statute labor, the number of days assessed to each person, and also the description and extent of each tract of land, and the name of the owner or occupier, if known, as taken from the last assessment roll of the District, or if such roll does not exist or cannot be

obtained, then from the last assessment roll of the School District, or otherwise, or placed thereon by the said overseers, if none appears on such last assessment rolls, and the amount of the road tax assessed in a separate column, according to Form C in the Appendix to this Ordinance.

11. The officer in charge of any assessment roll for the district aforesaid, or any part thereof, for any purpose whatever, shall, on application by the overseer of roads for such district, allow him to examine and ascertain, estimate and assess the road tax to be performed and paid by the different persons on said roll for the current or ensuing year; and in the absence of any such assessment the overseers shall make out assessments for their several respective districts; the names of persons left out of such road lists, and of new inhabitants, shall, from time to time, be added to the several lists, and they shall be rated by the overseers in the same proportion to work on the highways and roads as others are rated on such lists.

12. The lists of road work required to be done shall be posted up by the overseers in eight conspicuous places within the districts at least ten days before calling out the labor.

13. Overseers of roads shall give, by registered letter, notice to all persons assessed to work on highways and roads within the limits of their respective districts, such notice to be mailed at least fifteen days previously to the day fixed for labor to be done, and to mention the time and places when and where they are to appear for that purpose, and with what implements; but no person shall be required to work on any highway or road other than in the district in which he resides or is an owner or occupier.

14. Any person who feels himself aggrieved by the tax

assessed by the overseer, may appeal, within five days therefrom to the decision of the nearest Justice of the Peace

15. Every person liable to work on the highways and roads shall work the whole number of days for which he is assessed; but every such person may elect to commute for the same, or for some part thereof, at the rate of \$1.50 per day; in which case such commutation money shall be paid to the overseer of the district in which the person commuting is assessed, to be applied in the first instance to defraying the expenses connected with the proclamation erecting the same district into a Statute Labor District and the expenses of advertising and holding the meeting of resident for the election of the overseer of such district, in which the sum of \$5.00, to be paid to the Returning Officer appointed by the Lieutenant-Governor for directing and holding such election, shall be included; and the balance to be applied and expended by the overseer in the improvement of the roads and bridges in the same district; and overseers of highways and roads, when such land tax is paid, either in money or labor, shall write the word "paid" against each name or tract of land on their lists on which the same is paid.

- (1.) Persons assessed as non-residents shall be deemed to have commuted the Statute Labor for which they are liable, at the rate of \$1.50 per day, and the amount of the commutation shall be a debt recoverable as such at the suit of the overseer in any Court of competent jurisdiction.

16. Every person intending to commute for his assessment, or any part thereof, shall, within five days after he is notified to appear and work on the highways and roads pay the commutation money for the work required of him by such notice; and the commutation shall not be considered as made until such money is paid.

17. Every overseer of highways and roads shall have power to require cart, or waggon, or plough, or scraper, with a pair of horses, or oxen, and man to manage them, from any person having the same within his district who has been assessed two days or more, and who has not commuted his assessment; and persons furnishing the same upon such requisition shall be credited two days for each day's service therewith.

18. Every person assessed to work on highways and roads, and warned to work, may appear in person, or by an able-bodied man as a substitute: and the person or substitute so appearing shall, subject to the orders of the overseer, actually work eight hours in each day, under a penalty of twenty cents an hour for every hour such person or substitute is in default, to be imposed as a fine on the person assessed.

19. Every person so assessed and duly notified, who does not commute, and who refuses or neglects to appear, as above provided, shall forfeit for every day's liability the sum of not more than \$5, and if he is required to furnish a team, wagon, man or implements, and refuses or neglects to comply, he shall forfeit therefor and be fined as follows: For wholly omitting to comply with such requisition, not more than \$5 for each day; and for omitting to furnish a cart, wagon, plough, or scraper, not more than \$2.50 for each day; and for omitting to furnish a pair of horses or oxen, not more than \$2.50 for each day; and for omitting to furnish a man to manage the team, not more than \$1 for each day's liability; such penalties and fines, with costs of prosecution, to be recoverable before a Justice of the Peace on complaint only of the overseer or his successor, in a summary way, but no conviction shall operate as a discharge of liabilities for assessment.

20. The acceptance by any overseer of any excuse for

refusal or neglect shall not in any case exempt the person excused for commuting for or working the whole number of days for which he is assessed during the year.

21. Every overseer of highways and roads is entitled to \$2 per day—to be paid out of the fines and commutation money—for every day he is necessarily employed in the execution of his duties as overseer; provided, however, that he shall in no case receive a sum of money exceeding \$50 in any one year for such services, beyond the amount of his own road-tax; the number of days to be accounted to and audited by the Lieutenant-Governor; and when there are no funds from fines or commutation, the Lieutenant-Governor shall pay the overseer out of any other fund he may have raised or set apart for the use of the electoral district of the Territories.

22. It shall be the duty of every overseer of highways and roads to have all the road labor assessed in his district worked out or actually expended on the highways and roads previous to the fifteenth day of November in each year.

23. Every overseer of highways and roads shall, on or before the first day of December in each year, render to the Lieutenant-Governor an account in writing, containing:

- (1.) The names of all persons assessed on the highways and roads in the district of which he is overseer;
- (2.) The names of all persons who have actually worked on the highways and roads, with the number of days they have worked;
- (3.) The names of all those who have been fined, and the sums in which they have been fined, together with the names of the convicting magistrates, and the various amounts collected under execution;
- (4.) The names of all those who have commuted, and

the manner in which the moneys arising from the fines and commutations have been expended by law;

(5.) A list of taxes unpaid by non-residents, together with the number of each lot or parcel of land, whose owner is either non-resident or unknown, and upon which taxes were not collected;

(6.) The names of all persons, residents, who have not done or commuted for statute labor, and upon whose land the said tax is due and remains unpaid; which account shall be certified as correct under the oath of the overseer, according to the Form D., in the appendix to this Ordinance, sworn before a Justice of the Peace.

24. Every such overseer shall, upon making his return, pay to the Lieutenant-Governor all moneys remaining in his hands, to be by him held to the credit of said district, to be applied whenever needful to the making or improving of roads and bridges in the said district, or to the other expenses of said district incurred under the provisions of this Ordinance, and such moneys shall be held by the Lieutenant-Governor to the credit of the district until so much thereof has accumulated as will, in the opinion of the overseer, suffice for the making or improvement of such road or bridge in the district, as the fines or commutation money, or both. for one year or two years, would not be sufficient.

25. The amount of road tax returned by the overseer of each district, as unpaid as before mentioned, shall be collected from the person named on the direction of the Lieutenant-Governor, by action at law, brought in the name of the Lieutenant-Governor in any Court of competent jurisdiction.

26. Any person having the legal custody of an assessment roll in a locality, formed either wholly or in part into a

Statute Labor District, who refuses to allow access to such assessment roll to the proper overseer or overseers, when requested to do so under this Ordinance, shall for every such refusal, incur a penalty of not less than \$5 to be recovered, with costs, before the nearest Justice of the Peace.

27. Any overseer who refuses or neglects to discharge his duties, after having first accepted the office, or who neglects or refuses to render a true and correct account as required by this Ordinance, or who refuses or neglects to pay any balance of public money which then may be due from him, shall for each and every offence incur a penalty not exceeding \$100, to be recovered, together with the balance of the moneys remaining in his hand at the suit of the Lieutenant-Governor before any Court of competent jurisdiction.

28. At the expiration of the term of any overseer, or on the position becoming vacant from death, resignation, or removal out of the district, the assessment rolls, district moneys, and other property of such overseer held by him by virtue of his position as overseer, shall be handed over by him, his heirs, executors, or assigns, to his successor.

29. The word "person," where it occurs in this Ordinance, shall include corporations, joint stock companies, or partnerships.

30. This Ordinance may be cited as "The Statute Labor Ordinance, 1887."

FORM C.

Statute Labor District No.

(Referred to in Section 10.)

Names of Persons liable.	No. days Assessed.	Section.	Township.	Range.	Owner or Occupier.	Assessment by Overseer or from Roll.	Commutation Paid.	Name of J. P.	Amount recovered before J. P.	Non-Resident and Road Tax unpaid from 188	Amount expended and How.	Money on hand.	Remarks.

I make oath and say that the above is a true statement, to the best of my knowledge, of the amount of labor assessed for, performed and not performed, and the amount of money collected by way of commutation or otherwise, how much has been expended thereof, and in what manner, and the balance remaining in my hands for Statute Labor District No.

Sworn before me at

this

day of

188

Overseer.

FORM D.

(Referred to in Sub-section (6) of Section 23.)

STATUTE LABOR DISTRICT No.

I, _____ hereby certify under oath that the account hereto
annexed, signed by me, is a true account in accordance with the provisions of
Section 23 of the Statute Labor Ordinance, 1887, of Statute Labor District No.

Sworn before me at _____
day of _____ this _____ 188 _____ }

.....
J.P.

(c.) By inserting between the words "highways" and "and" in the 15th sub-section of the said section, the words "or other public places ;"

(d.) By striking out sub-section 17 of said section ;

(e.) By adding to sub-section 28 of the said section, the following words: " And for regulating the rate or
" pace of riding or driving on bridges, and the number
" of horses, sheep or cattle to be crossed thereon at
" one time."

9. Section 111 of the said Ordinance is hereby amended, by striking out the word "residents" wherever it occurs in said section, and substituting therefor the words "resident ratepayers."

10. Section 115 of the said Ordinance is hereby amended as follows :—

(a.) By adding after the words "Assessment roll" the words "as in Form A of the Appendix to this Ordinance."

(b.) By striking out sub-section 2 and 3 of the said section, and substituting therefor the following :—

" (2.) The names in full and post office addresses, if the
" same can be ascertained, of all taxable persons who
" have taxable property or income within the Municipality, and the name and post office address of
" the owner when the occupant is not the owner ;"

" (3.) The statement whether the taxable person is an
" owner, occupant, or income tax payer, by inserting
" opposite the name of the taxable person the
" letters 'ow,' or 'oc,' or 'inc,' as the case may be."

(c.) By striking out sub-section 4 of the said section, and substituting therefor the following:

" (4.) The description in full, and extent or amount of
" property or income assessed against each taxable
" person, or any interest which is liable to assess-
ment."

(d.) By striking out the words "party assessed" in the
5th sub-section of the said section, and substituting
therefor the words "taxable person ;"

(e.) By inserting between sub-sections 5 and 6 of the
said section the following sub-section :

" (5a.) Total value of real property ;"

(f.) By inserting between sub-sections 7 and 8 the fol-
lowing sub-section :

" (7a.) The total value of real and personal property
" and taxable income ;"

(8.) Sub-section 8 of the said section, is hereby re-
pealed.

(h.) By striking out sub-section 9 of the said section,
and substituting therefor the following :

" (9.) The age of the taxable person ;"

(i.) By striking out sub-section 10 ;

(j.) By striking out the last four words in sub-section
12 of the said section, and substituting therefor the
following words :

" Taxable person ;"

(k.) By striking out sub-section 14 of the said section
and substituting therefor the following :

" (14.) Date of delivery or posting of notice under
" section 116 of this Ordinance ;"

(l.) By striking out sub-section 15 of said section.

11. The said Ordinance is hereby amended by inserting between sections 115 and 116 thereof the following section :

“(115a.) As regards the lands of non-residents, whether
“ owned by individuals or corporations whose names;
“ cannot be ascertained, the assessor or assessors shall
“ set down in consecutive columns, in a roll separate
“ from the other assessment roll, and headed ‘ Non-
“ resident Land Assessment Roll ’ as in form B. of
“ the appendix of this Ordinance ;

“(a.) The number of the assessment ;

“(b.) The description and extent of the land, if not
“ sub-divided into lots, by describing the section or
“ portion of the section, township and range, by their
“ numbers or other description ; or if sub-divided
“ into lots, by giving the numbers and other des-
“ cription thereof, so far as the same can be ascer-
“ tained ;

“(c.) The actual cash value of each parcel or lot of
“ land.

“(d.) The total value of the land.”

12. Section 116 of the said Ordinance is hereby amended by striking out the words “ the party assessed ” where it occurs in the said section and substituting therefor the words “ each taxable person ; ” and by striking out the words “ the person assessed ” where it occurs in the said section, and substituting therefor the words “ such taxable person.”

13. Section 139 of the said Ordinance is hereby amended by adding thereto the following words :—

“ And the Clerk of the Court may, when required, issue a summons to any witness to attend such Court; and if any person so summoned as a witness fails without good and sufficient reason to attend (having been tendered compensation for his time at the rate of one dollar per day and mileage at the rate of ten cents per mile or railway fare actually paid) he shall incur a penalty of \$50.00 to be recoverable with costs, by and to the use of any person suing for the same by suit in the Supreme Court of the North-West Territories exercising jurisdiction in the District in which the Municipality is situated.”

14. Section 140 of this Ordinance is hereby amended by inserting after the words “ too low ” the words “ or in regard to any property of any person which has been mis-described or omitted from the roll, or in regard to any assessment which has not been performed in accordance with the provisions and requirements of this Ordinance.”

15. Section 142 of the said Ordinance is hereby amended by inserting after the words “ assessment roll ” in sub-section 2, the following words: “ or that the property of any person has been mis-described or omitted from the roll, or that the assessment has not been performed in accordance with the provisions and requirements of this Ordinance.”

16. Sub-section 3 of the said section is hereby repealed, and the following is substituted therefor:

“ (3) The Clerk of the Court shall post up in some convenient place within the Municipality a list of all complainants on their own behalf against the assessor's return, and of all complaints on account of assessment or want of assessment or improper assessment of other persons stating the names both of the complainant and the party complained against with a concise description of the matter

“ complained of, together with an announcement of
“ the time when the Court will be held to hear the
“ complaints ; and no alterations shall be made in
“ the roll, unless under a complaint formally made
“ according to the above provisions.”

17. Section 143 is hereby repealed and the following is substituted therefor :—

“ The roll, as finally passed by the Court, and certified by
“ the Clerk as passed, shall, except in so far as the same may
“ be further amended on appeal to the Judge of the Supreme
“ Court, be valid, and bind all parties concerned, notwith-
“ standing any defect or error committed in or with regard
“ to such roll, or any defect, error or misstatement in the
“ notice required by Section 142 of this Ordinance, or the
“ omission to deliver or transmit such notice.”

18. Section 160 is hereby amended by inserting between the words “ performed ” and “ except,” the words “ or materials provided, under any special contract with the Municipality.”

19. Section 165 is hereby amended, by adding to the said section the following words : “ And it shall be lawful for
“ the Council of any Municipality, carrying a sinking fund
“ for the redemption of its debentures, to invest the same
“ in school debentures of any School District in the Territories, lawfully issued, in conformity with the provisions
“ of the School Ordinance, and all moneys belonging to
“ such sinking funds, while not otherwise invested, shall be
“ deposited in some Chartered Bank of Canada, in the name
“ of the Treasurer and Chairman of such Municipality
“ jointly.”

20. Section 171 is hereby amended, by inserting between the words “ so ” and “ disqualified,” the words “ or otherwise.”

21. Section 173 of the said Ordinance is hereby amended

by striking out the words "that have applied" and substituting therefor the word "asked."

22. Section 174 of the said Ordinance is hereby amended by inserting between the words "list" and "as" in the said section, the following words: "In all cases provided for in Section 170 of this Ordinance." And further by adding thereto the following words, "and such Council sitting as a final Court of Revision on the voters' list shall have all the powers and privileges conferred by this Ordinance upon the Court of Revision for the Municipality sitting upon the assessment roll with the same provisions for the attendance of witnesses and the imposition and recovery of penalties."

23. Section 177 of the said Ordinance is hereby amended by striking out the word "repayment" and substituting the word "payment" therefor.

24. Section 178 is hereby repealed and the following substituted therefor:

" 178. No By-law for any of the purposes mentioned in sub-sections twenty-three, twenty-five and twenty-seven of section number one hundred and nine of this Ordinance shall be introduced or entertained by the Council, except on a petition of one-half the resident ratepayers of the Municipality, and all such By-laws shall, before the final passing thereof, receive the assent of a majority of the ratepayers voting thereon, in the manner hereinafter provided—and such majority shall include two-thirds of the resident ratepayers—provided, however, that upon the introduction of any such By-law no informality in the proceedings, prior to such introduction, shall affect its validity."

25. Section 179 of the said Ordinance is hereby amended:

(a.) By striking out sub-section (1) of the said section, and substituting therefor the following:

“(1.) The Council shall, by the by-law, fix the day and hour for taking the votes of the electors, and such places in the municipality as the Council shall, in their discretion, deem best, and shall name a Deputy Returning Officer to take the votes at each place where the votes are to be taken; and the day so fixed for taking the votes shall not be less than three nor more than five weeks after the first publication of the proposed by-law, as hereinafter provided.”

(b.) By striking out the word “returning” in the 4th sub-section and substituting therefor the word “Deputy-Returning,” and striking out the word “Council” and substituting therefor the words “Clerk of the Council.”

26. Section 180 of the said Ordinance is hereby amended by striking out the word “a” before “By-Law” in the said section, and substituting therefor the word “the.”

27. Section 182 of the said Ordinance is hereby amended by striking out the said section, and substituting therefor the following:

“182. The ratepayers entitled to vote on any By-Law requiring the assent of the ratepayers, shall be those so duly qualified and assessed as freeholders on the last revised assessment roll of the Municipality for not less than six hundred dollars, either by themselves or their wives, or who or whose wives are leaseholders of real property within the Municipality of that value, and who are rated on the last revised assessment roll as aforesaid therefor, and which lease extends for a period of time

“ within which the debt to be contracted, or the
“ money to be raised by such By-Law is made pay-
“ able, and by which lease the lessee has covenanted
“ to pay all municipal taxes in respect of the property
“ leased, and whose names are on the last revised
“ voters’ list of the Municipality.”

28. Section 184 of the said Ordinance is hereby amended by striking out the word “voting” when it occurs in said section, and substituting therefor the words “entitled to vote.”

29. Section 186 of said Ordinance is hereby struck out and the following substituted therefor :

“ 186. A By-law, requiring the assent of the electors,
“ shall not come into operation until after thirty
“ days from the final passing thereof by the Council,
“ but such By-law shall come into operation within
“ sixty days after said final passing thereof.”

“ 30. Section 191 of the said Ordinance is hereby amended by inserting between the words “except” and “when” the following words : “in the case of a By-law requiring the
“ assent of electors or ratepayers.”

31. Section 194 of the said Ordinance is hereby amended :

(a.) By inserting after the word “Municipality,” in sub-section 5 of the said section, the following words :
“ other than for current expenses ;”

(b.) By striking out the word “repayment” where it occurs in the 6th sub-section of the said section, and substituting therefor the word “payment;” and by striking out the words “in Council.”

32. Section 197 of the said Ordinance is hereby amended,

by striking out the said section, and substituting therefor the following :

“ 197. In any case of passing a By-law for contracting
“ a debt or borrowing money for any purpose the
“ Council may in its discretion make the principal of
“ such debt repayable by equal annual instalments
“ during the currency of the period, (in no case to
“ exceed thirty years as hereinbefore provided,)
“ within which the debt is to be discharged, and may
“ issue the debentures of the Municipal Corporation
“ for the amounts and payable at the times corres-
“ ponding with such instalments, together with inter-
“ est, annually or semi-annually, as may be set forth,
“ and provided in such By-law.”

33. Section 208 of the said Ordinance is hereby repealed, and the following substituted therefor :

“ 208. Whenever a town is incorporated by Ordinance
“ of the Lieutenant-Governor, in Council, unless
“ otherwise therein limited, all the powers conferred
“ upon Municipalities by this Ordinance shall extend
“ thereto, and such town shall in addition have power
“ to pass By-laws.

The said section is further amended :

(a.) By striking out sub-section 5 of the said section and inserting in lieu thereof the following :—

“ (5.) To regulate the erection of buildings and prevent
“ the erection of wooden buildings or additions there-
“ to and wooden fences in specified parts of the town;
“ and also to prohibit the erection or placing of
“ buildings other than with main walls of brick, iron
“ or stone, and roofing of incombustible material
“ within defined areas of the town, and to regulate

“ the construction of chimneys as to dimensions and
“ otherwise and to enforce the proper cleaning of the
“ same, and to authorize the pulling down or removal
“ at the expense of the owner thereof of any building
“ or erection which may be constructed or placed in
“ contravention of any By-law ;”

(b.) By adding to sub-section 8 of the said section the following words “ and to prevent the obstruction of
“ the same ;”

(c.) By adding to sub-section 9 of the said section the following words “ to prevent the leading, riding or
“ driving of cattle or horses thereon ; and to compel
“ persons to remove and clear away all snow, ice and
“ dirt, and other obstructions from the sidewalks
“ adjoining the premises owned or occupied by them ;”

(d.) By inserting between the words “ of ” and “ driv-
“ ing ” in sub-section 11 of the said section the fol-
lowing words, “ riding or ;”

(e.) By inserting between the words “ houses ” and
“ hotels ” in sub-section 18 of the said section the
words “ public boarding or lodging houses,” and by
adding to the said sub-section the words “ or amuse-
ment ;”

(f.) By striking out sub-section 26 of the said section
and adding to the said section the following sub-
sections :—

“(26.) To prevent and regulate the construction of
privy vaults and water closets ; and to provide for
“ the keeping of the same in a proper state of clean-
“ liness and repair ;”

“(27.) To regulate the size and number and construc-
“ tion of doors in churches, theatres and halls, or

“ other buildings used for places of worship, public
“ meetings, or places of amusement, and the street
“ gates leading thereto ; and also the size and struc-
“ ture of stairs and stair railings in all such build-
“ ings ; and the strength of beams and joists, and
“ their supports : ”

“ 28. To authorise any corporate Gas or Water Com-
“ pany, or Gas and Water Company, to lay down
“ pipes or conduits for the conveyance of gas or
“ water, or both, under streets, squares, and other
“ public places, subject to such regulations as the
“ Council sees fit.”

“ (a.) Every Municipal Council shall have power to
“ contract with any Water Works, or Water Com-
“ pany, for a supply of water within the municipal-
“ ity for fire purposes and other public uses, from
“ hydrants or otherwise, as may be deemed advisa-
“ ble, and for the renting of any such hydrants for
“ any number of years, not, in the first instance,
“ exceeding ten, and for renewing any such contract
“ from time to time, for such period not exceeding
“ ten years, as said Council may desire, and every
“ such Council shall also have power to purchase
“ hydrants necessary for any of the purposes or uses
“ aforesaid, and also to erect the same ; and to pur-
“ chase or rent for a term of years or otherwise, fire
“ apparatus of any kind, and fire appliances and
“ appurtenances belonging thereto respectively.”

“ (29.) To establish municipal scales for weighing or
“ measuring, and to compel the weighing or measur-
“ ing thereon or thereby of anything sold by weight
“ or measurement in the public market ; and to
“ establish and regulate the fees to be paid for weigh-
“ ing or measuring on such scales ; and to compel
“ dealers in coal to weigh upon such scales all coal

“ sold by them, if requested so to do, by the purchaser, at the purchaser's expense;”

“(30.) To prevent or regulate the erection or continuance of slaughter houses, gas works, tanneries, distilleries, or other manufactories or trades which may prove to be nuisances;”

“(31.) And generally to make and establish all such by-laws for the government and good order of the town and the suppression of vice and immorality, protection of property and the promotion of health not inconsistent with law.”

“(32.) Preventing the defacing of private or other property by printed or other notices;”

“(33.) Licensing, regulating and governing transient traders and other persons who occupy premises in the Municipality for temporary periods and whose names have not been duly entered on the assessment roll in respect of income or personal property for the then current year; and for fixing the sum to be paid for a license for exercising any or all such callings within the Municipality and the time the license shall be in force;”

“(34.) Regulating the keeping and transporting of gunpowder and other combustibile or dangerous materials.”

34. The said Ordinance is hereby amended by inserting the following section as section numbered :

“ 208a. The Council of a Town Municipality shall consist of a Mayor and six Councillors.”

35. Section 260 of the said Ordinance is hereby amended by striking out the word “first,” and substituting therefor the word “last.”

36. Section 279 of the said Ordinance is hereby amended, by inserting after "Township 13," where it occurs the second time, the following words : " except section 33."

NEW SECTIONS.

37. Whenever any Municipal Council has any authority to direct, by By-law or otherwise, that any matter or thing shall be done by any person or Corporation, such Council may also, by the same or another By-law, direct that in default of its being done by the person or Corporation, such matter or thing shall be done at the expense of the person or Corporation in default, and the Municipality may recover the expense thereof, with costs, by action in any Court of competent jurisdiction.

38. Every fine and penalty imposed by or under the authority of this Ordinance may, unless where other provision is specially made therefor, be recovered and enforced with costs of prosecution by summary conviction before any Justice of the Peace for the North-West Territories.

39. Proceedings for offences under this Ordinance may be had and proceedings therein taken and conducted under and by virtue of the Act of the Parliament of Canada, intituled "The Summary Convictions Act."

40. The Council of every Municipality may pass By-laws for inflicting reasonable fines and penalties, not exceeding one hundred dollars, exclusive of costs, for breach of any of the By-Laws of the Municipality ; and for inflicting reasonable punishment by imprisonment, with or without hard labor, either in the lock-up house of the Municipality or in the the nearest common jail, for any period not exceeding thirty days, for breach of any of the By-laws of the Municipality, in case of non-payment of the fine and costs inflicted for any such breach, unless such fine and costs, including the costs of committal, are sooner paid ; except for breach of

any By-Law or By-Laws passed for the suppression of houses of ill-fame, for which the imprisonment may be for any period not exceeding six months in case of the non-payment of the fines and costs inflicted, unless such fine and costs, including the costs of committal are sooner paid.

41. Section 1 of Ordinance No. 7 of 1886 is hereby amended by inserting before the word "paid" in the sixth line of the said section, the following words: "On or before a day to be named therein.

42. Section 12 of the said Ordinance is hereby amended.

(a.) By adding to sub-section 1 of the said section, the following words: "Setting forth fully in such notice " the grounds of his appeal;"

(b.) By inserting after the word "Ordinance" in sub-section 4 of the said section the words "for adjournment" and by adding to the said sub-section the following words: "And at the hearing of " such appeals the person having charge of the " assessment roll passed by the Court of Revision " shall appear and produce such roll and all " papers and writings in his custody connected " with the matter of appeal, and such roll shall be " altered and amended according to the decision of " the Judge, if then given, who shall write his initials " against any part of the said roll in which any mistake, error or omission is corrected or supplied; and " if the decision is not then given, the Clerk of the " Court shall, when the same is given, forthwith alter " and amend the roll according to the same, and shall " write his initials against every such alteration or " correction and shall return the roll to the proper " authority."

43. Section 14 of the said Ordinance is hereby amended by adding thereto the following sub-section:

“(3.) Any person liable to pay the said sum in lieu of
 “statute labor, or any sum for statute labor com-
 “muted under the Municipal Ordinance, shall pay
 “the same to the collector appointed to collect the
 “same, within seven days after demand thereof by
 “the said collector; and in case of neglect or refusal
 “to pay the same the collector may levy the same
 “by distress and sale of the goods and chattels of
 “the defaulter, with costs of the distress and sale;
 “and if no sufficient distress can be found, then upon
 “summary conviction before a Justice of the Peace
 “of his refusal or neglect to pay the said sum, and
 “of there being no sufficient distress; and in default
 “of payment at such time as the convicting Justice
 “shall order, shall be committed to the lock-up
 “house of the Municipality, or to the nearest com-
 “mon gaol and be there put to hard labor for any
 “time not exceeding ten days; unless such penalty
 “and costs, and the costs of the warrant of com-
 “mitment and of conveying the said person to gaol,
 “be sooner paid.”

44. No person having, by himself or his partner, an interest in any contract with or on behalf of a Municipality, shall be qualified to be or sit as a member of the Council of such Municipality:—

- (1) But no person shall be held to be disqualified from being elected as member of the Council of any Municipality by reason of his being a shareholder in any incorporated Company having dealings or contracts, or contracting with the Council of such Municipality.
- (2) But no such shareholder shall vote in the Council on any question affecting the Company.

SCHEDULE A.

(Vide Section 10.)

Assessment Roll for Year

Municipality of

No.	The Names in full if the same can be ascertained, of all taxable persons who have taxable property or income, within the Municipality, and the name of the Owner, when the occupant is not the Owner.	Post Office Address.	Ow. (owner, occupant), Inc. (income).	The description in full and extent or amount of property assessed against each taxable person, which is liable to assessment, showing section, township and range, or lot and block, or other local description.	The actual cash value of each parcel or lot of real property, or the interest therein of the taxable person.	Total value of real property.	Cash value of personal property.	Taxable income.	Total Assessment of real and personal property and income.	Age of taxable person.	No. of acres assessed.	Number under cultivation.	Religion.	Total number in family.	Cattle.	Sheep.	Horses.	Hogs.	Dogs.	Date of Assessment.	Date of delivery of notice.
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SCHEDULE B*(Vide Section 11.)**Non-resident Land Assessment Roll**Municipality of*

No. of Assessment.	The description and extent of the land, if not subdivided into lots, by describing the section, or portion of section, township and range by their numbers or other description, or if sub-divided into lots, by giving the numbers and other description thereof, so far as the same can be ascertained.	The actual cash value of each parcel or lot of land.	Total value of the land.

No. 14 of 1887.**AN ORDINANCE TO PREVENT THE POLLUTION
OF RUNNING STREAMS.**

[Passed 19th November, 1887.]

Be it enacted by the Lieutenant-Governor of the North-West Territories, in Council, as follows:

1. Any person who deposits or causes or allows to be deposited along the bank of any running stream in the Territories, or who shall cast or throw into its waters any stable manure, or any night-soil, carcases, or any other filthy or impure matter or substance of any kind, shall be guilty of an offence, and for each and every such offence incur a penalty of not less than five dollars, together with the costs of prosecution; and on non-payment of such penalty and costs forthwith after conviction, be imprisoned in the nearest common gaol, with or without hard labor, for not exceeding one month, unless such penalty and costs are sooner paid.

2. The banks of all running streams within the Territories shall, for the purposes of this Ordinance, include all lands within fifty feet of ordinary high water-mark on either side of such streams.

3. Prosecutions for offences under this Ordinance may be had before one Justice of the Peace, in a summary way; and all fines recovered shall be paid to the General Revenue Fund of the North-West Territories.

4. Any person found committing any offence under this Ordinance may be arrested on view by any Constable or Peace Officer, and taken, without any warrant, before the nearest Justice of the Peace and immediately proceeded against without any other formality.

No. of 15 1887.

AN ORDINANCE TO AMEND AND CONSOLIDATE,
AS AMENDED, THE SEVERAL ORDINANCES
RESPECTING BULLS.

(Passed 19th November, 1887.)

Be it enacted by the Lieutenant-Governor of the North-West Territories, in Council, as follows:

1. This ordinance shall come into force and take effect only in such portion or portions of the North-West Territories, and at and from such time or times, as the Lieutenant-Governor may designate and fix by Proclamation.

2. No bull of one year old or upwards shall be permitted to run at large between the first day of April and the first day of July in any year in districts proclaimed or hereafter to be proclaimed, by the Lieutenant-Governor under "The Marking of Stock Ordinance 1884;" and, in all other parts of the North-West Territories, no bull of one year old or upwards shall be permitted to run at large at any time.

3. Any person who finds a bull unlawfully permitted to run at large may capture and confine the same, and as soon thereafter as conveniently practicable shall notify the owner thereof, if known to such captor, and if such owner do not, within a reasonable time after receiving such notice, take away such bull and pay the captor thereof five dollars for his trouble, and twenty-five cents per day for the keep of the said bull every day the same has been in his custody, such owner shall be liable, on prosecution in a summary way before a Justice of the Peace, to a fine not exceeding twenty dollars, together with the costs of prosecution, fee for capturing, and the cost of keeping the bull as aforesaid; which said fee and the cost of keeping the bull as aforesaid, shall be paid over, on collection, to the captor; and in default of payment of such fine, fee and costs, the Justice of the

Peace may grant his warrant to levy the same by distress and sale of the goods and chattels of the owner of such bull

4. When the owner of any bull so captured and confined is unknown to the captor, the said captor shall post up a notice, in Form A of this Ordinance, in three public places in the neighborhood, and advertise such notice in four consecutive weekly issues of a newspaper published nearest the place of residence of the captor, and the owner thereof shall be entitled to receive delivery thereof on the conditions set forth in the next preceding section and upon paying the expenses incurred for advertising; but, if at the end of four weeks after the last publication of the advertisement, no owner be found for such bull, then, upon application to a Justice of the Peace, the said Justice may, after ten days' notice, posted up in three conspicuous places in the neighborhood, such notice stating time and place of sale, cause the said bull to be sold; and out of the proceeds of such sale, first pay expenses of sale and advertising and then the sum of five dollars and costs of keeping, to the captor; and after defraying all other expenses, pay over the balance to the General Revenue Fund of the North-West Territories.

5. This Ordinance shall cease to apply to any portion of the Territories erected into a pound district, under the "Ordinance respecting Trespassing and Straying of Animals."

6. Ordinance No. 13 of 1881, intituled "An Ordinance respecting Bulls," and Ordinance No. 16 of 1886, intituled "An Ordinance to Amend Ordinance No. 13 of 1881, intituled 'An Ordinance respecting Bulls,'" are hereby repealed.

FORM A.

PUBLIC NOTICE.

Notice is hereby given, that (*description of Bull*) is detained by the undersigned, at (*place where detained*), and if not claimed will be sold in accordance with the provisions of Ordinance No. 15 of 1887.

No. 16 of 1887.

AN ORDINANCE TO AMEND ORDINANCE No. 10 OF 1885, INTITULED "AN ORDINANCE RESPECTING THE LEGAL PROFESSION."

[*Passed 19th November, 1887.*]

Whereas, consequent upon the change in the administration of Civil Justice in the Territories by the constitution of the Supreme Court thereof and therein, it is desirable to amend Ordinance number 10 of 1885, "An Ordinance respecting the Legal Profession:"

Be it enacted by the Lieutenant-Governor of the North-West Territories, in Council, as follows:

1. Hereafter the Judge referred to and named in the said Ordinance shall mean the Judge of the Supreme Court of the North-West Territories, usually exercising jurisdiction in the Judicial District, in which the party applying to be enrolled at the time of his application, resides.

2. Sub-section 5 of Section 1 of the said Ordinance is hereby amended by expunging the words between the word "filed" and the word "together" in such sub-section, and in lieu thereof inserting the following words: "with the Registrar of the Supreme Court within six months after the execution thereof."

3. Within six months from the passing hereof any articles of clerkship and any assignments thereof on file in any office of a Clerk of the Supreme Court in the Territories, on application of either party thereto, may be transferred by him to the Registrar, to be by him filed, as hereinbefore provided.

4. For filing every such articles and every assignment thereof, there shall be payable to the Registrar the fee of fifty cents, and to a clerk for transmitting to the Registrar y articles or assignments besides postage, fifty cents.

No. 17 of 1887.

AN ORDINANCE TO AMEND AND CONSOLIDATE,
AS AMENDED, THE SEVERAL ORDINANCES
RESPECTING PRAIRIE AND FOREST FIRES.

[*Passed, 19th November, 1887.*]

Be it enacted by the Lieutenant-Governor, of the North-West Territories, in Council, as follows :

1. Any person, who kindles or places, or is a party to kindling or placing fire in the open air in any part of the Territories, except for camp or domestic purposes, or for clearing land in the months of December, January, February, or March, except as hereinafter provided, shall on conviction thereof, pay a fine not exceeding two hundred dollars, with costs of prosecution, and in default of payment be imprisoned for a term not exceeding six months.

Provided always that a person may at any time kindle a fire if he has present during the whole time of the burning, six persons with proper appliances for putting out fires, or without such assistance, inside a ploughed break not less than ten feet wide.

2 Any person who kindles, or is a party to kindling a fire in the open air for any of the purposes allowed in the next preceding section, and allows such fire to escape, shall, on conviction, be liable to a fine not exceeding one hundred dollars, with costs of prosecution : and in default of payment, be imprisoned for a term not exceeding three months.

3. Nothing in this Ordinance shall bar or prevent the owner of private property from recovering damages from any offender against the first and second sections of this Ordinance.

4. Prosecutions under this Ordinance shall be in a summary manner.

5. The Lieutenant-Governor may appoint fire guardians having the power of constables, to enforce the provisions of this Ordinance, who, together with all magistrates, shall have the power to call out any male person within five miles of prairie fire, to proceed at once, and help to extinguish said fire, and any person refusing to do so shall be liable to a fine of ten dollars.

6. It shall be the duty of all peace officers, upon view of any infraction of any of the enactments of this Ordinance, forthwith to arrest the offender, and without warrant bring him before a Justice of the Peace to be dealt with according to law.

7. Ordinances No. 21 of 1885 and No. 13 of 1886 are hereby repealed.

No. 18 of 1887.

AN ORDINANCE TO AMEND AND CONSOLIDATE
AS AMENDED THE SEVERAL ORDINANCES,
RESPECTING POISONS.[*Passed 19th November, 1887.*]

Be it enacted by the Lieutenant-Governor of the North-West Territories, in Council, as follows :

1. No person shall put out strychnine or other poisons within one mile of any public trail, or within two miles of any dwelling-house or camp, unless he obtains a license from a Justice of the Peace, as hereinafter provided, and in accordance with the terms of such licence; provided that this Ordinance shall not apply to poisons placed under the surface of the ground for the purpose of killing vermin

2. A Justice of the Peace, when, on complaint before him on oath, he is satisfied that it is advisable to put out poisons for the destruction of wolves or other wild animals, may grant to any person a license to put out such poisons, and shall in such license limit the number of places at which it shall be put out; but the said license shall not extend beyond a longer period than six months.

3. The said license may be in the following form :

"A.B., who resides at _____, is hereby permitted to set out
" strychnine or other poisons, for the purpose of destroying wolves and other
" wild animals at _____ different places, being at least one mile from any
" public road, or trail, and two miles from any dwelling place, or camp, for a
" term not exceeding six months from the date of this license."

" Given under my hand at _____ this
" day of _____ A.D. 18 _____

Signed.....
J.P.

4. There shall be payable to the Justice of the Peace, for taking the complaint and issuing the said license, the sum of one dollar.

5. Every person convicted of an infraction of any of the provisions of this Ordinance, shall be liable to a fine not exceeding one hundred dollars, with costs of prosecution, and in default of payment to be imprisoned, with or without hard labor, for a term not exceeding three months.

6. Prosecutions under this Ordinance may be had in a summary way before a Justice of the Peace; and, in prosecutions upon information, whereby conviction is secured and a fine paid, the informer shall be entitled to receive one half of the said fine.

7. Ordinance No. 12 of 1885, respecting Poisons, and Ordinance No. 14 of 1886, amending the same, are hereby repealed.

No. 19 of 1887.

AN ORDINANCE TO REPEAL SUB-SECTIONS ONE
TWO AND FIVE, OF SECTION 29, OF ORDIN-
ANCE No. 9, OF 1886.

(Passed 19th November. 1887.)

Be it enacted by the Lieutenant-Governor of the North-
West Territories, in Council, as follows:

1. Sub-sections One, Two and Five of Section Twenty-
nine of Ordinance No. 9 of 1886, intituled "An Ordinance
to Incorporate Companies for the Establishment of Ceme-
teries," is hereby repealed.

No. 20 of 1887.**AN ORDINANCE TO REPEAL ORDINANCE No. 22
OF 1884.**

[*Passed 19th November, 1887.*]

Be it enacted by the Lieutenant-Governor of the North-West Territories, in Council, as follows:

1. Ordinance No. 22 of 1884, intituled "An Ordinance to authorize Corporations and Institutions, incorporated outside the North-West Territories, to transact business therein," is hereby repealed.

No. 21 of 1887.**AN ORDINANCE TO AMEND ORDINANCE No. 21
OF 1886.**

[Passed 19th November, 1887.]

Whereas, Messrs. MacCaul, McNichol & Reilly have presented their Petition praying that Ordinance No. 21 of 1886 be amended :

And whereas it is deemed expedient to grant the prayer of such Petition :

Therefore, be it enacted by the Lieutenant-Governor of the North-West Territories, in Council, as follows ;

1. Section 1 of said Ordinance is hereby amended by adding thereto the following words :

“ And notwithstanding that the conditions contained in
“ said By-law as to the time of the completion of the Grist
“ Mill mentioned therein and otherwise were not fulfilled
“ and the delivery of the said debentures and coupons to
“ Messrs. J. A. MacCaul, Moore McNichol, and Isaac R.
“ Reilly, is hereby authorized, ratified and confirmed, and
“ said debentures and coupons are hereby declared to be and
“ are a good, valid and existing security in the hands of
“ Messrs. J. A. MacCaul, Moore McNichol, and Isaac R. Reilly
“ and their assigns, and said debentures and coupons shall
“ not be impeached or questioned in any court of law or
“ equity for any cause whatsoever.”

No. 22 of 1887.

AN ORDINANCE TO LEGALIZE A CERTAIN BY-LAW OF THE MUNICIPALITY OF WOLSELEY.

[Passed 19th November, 1887.]

Whereas, the Council of the Municipality of Wolseley have, by their petition, represented that in or about the month of April, 1886, the said Council duly submitted to a vote of the ratepayers of the said Municipality of Wolseley, a By-law, intituled "By-law No. 24, to raise, by way of loan, the sum of Four Thousand Five Hundred Dollars," in which said By-law it was provided that on the completion by Robert Dill, James Peers Dill and Henry Clay Pollock, to the satisfaction of the said Council, in the town site of Wolseley, within the time mentioned in said By-law, of a Flouring Mill and Elevator, of the description, capacity and dimensions mentioned in said By-law, and upon the said parties entering into an agreement with the said Municipality, and giving security on such mill and elevator property, for the observance and performance of certain provisos and conditions mentioned in said By-law, debentures of said Municipality to said amount should be handed over to the parties entitled thereto, upon resolution of said Council: That the said By-law was duly carried by a vote of the requisite majority of the ratepayers of said Municipality, and was thereafter duly passed by the said Council, on the 27th day of April, 1886; That the said Robert Dill, James Peers Dill and Henry Clay Pollock, before proceeding with the erection of the said mill and elevator, duly assigned all their right and interest in and under the said By-law and all benefit and advantage derivable therefrom, to William Davis Cooke and George Edmund Cole, of Wolseley, aforesaid; That the said Council afterwards, by By-law, approved of the said assignment to the said William Davis Cook and George Edmund Cole, and accepted them as the assignees

of the said Robert Dill, James Peers Dill and Henry Clay Pollock, in respect of their rights and privileges under the said By-law; That the said William Davis Cooke and George Edmund Cole, acting in good faith and under the belief that they were entitled to the rights and privileges granted to the said Robert Dill, James Peers Dill and Henry Clay Pollock, under the said By-law, proceeded to erect a Flouring Mill and Elevator of the description, dimensions and capacity prescribed by said By-law, and duly completed the same in accordance with the provisions thereof and the By-laws of said Municipality, and have given security thereon to the satisfaction of said Council for the performance of the provisos and conditions contained in said By-law, and the said Council has, by resolution, caused to be issued and delivered to them, the said William Davis Cook, and George Edmund Cole, debentures under the said By-law for the said sum of \$4,500; and that doubts have arisen as to the legality of the said debentures, so issued and delivered, and by reason of such doubts, the said William Davis Cook and George Edmund Cole, are unable to dispose of the same, and the said Council have by their said petition prayed that an Ordinance may be passed legalizing the said By-law and debentures, and avoiding all doubts as to the legality of said debentures, and the title of said William Davis Cook and George Edmund Cole thereto;

And whereas it is expedient to grant the prayer of said petition.

Be it therefore enacted by the Lieutenant-Governor of the North-West Territories, in Council, as follows:

The following By-laws, passed by the Council of the Municipality of Wolseley, are hereby declared to have been legally passed, and to be valid and binding on said Municipality and the ratepayers thereof, viz.: A By-law, intituled "By-law No. 24, to raise by way of loan the sum of Four Thousand Five Hundred (\$4,500) dollars;" and all other

By-laws passed by the said Council relating in any manner to the said By-law, or to the provisions thereof, or to the assignment by Robert Dill, James Peers Dill and Henry Clay Pollock, to William D. Cook and George E. Cole of any interest in or under the said By-law No. 24, or to the extension of the time for the completion of the Flouring Mill and Elevator mentioned in said By-law No. 24, or relating in any manner to the issue of debentures in aid of a Flouring Mill and Elevator at Wolseley, and the debentures issued or to be issued by said Municipal Council to said William D. Cook and George E. Cole, as the assignees of Robert Dill, James Peers Dill and Henry Clay Pollock, in aid of said Flouring Mill and Elevator, are also hereby legalized and confirmed, and shall be valid and binding upon said Municipality and the ratepayers thereof, and shall not be questioned upon any ground whatever, and the holders of same or any part thereof shall not be under any obligation to see that the conditions mentioned in any of said By-laws are complied with before the issue of said debentures, but the issue of same shall be conclusive evidence of their legality.

No. 23 of 1887.

AN ORDINANCE TO INCORPORATE THE CALGARY
GAS AND WATERWORKS COMPANY (LIMITED.)

[*Passed 19th November, 1887.*]

Whereas the several parties hereinafter named have by their petition represented that they have associated themselves together with divers others for the purpose of supplying the town of Calgary with gas or water or both gas and water, under the name of the Calgary Gas and Water Works Company.

Therefore, be it enacted by the Lieutenant-Governor of the North-West Territories, in Council, as follows :

1. Alexander Lucas, James Reilly, James A. Loughheed and Peter McCarthy ; together with such other person or persons as shall be and become stockholders in the said Company, shall be, and are hereby constituted a body corporate and politic by the name of "The Calgary Gas and Water Works Company, (Limited)."

2. The said capital stock of the said Company shall be one hundred thousand dollars, divided into one thousand shares of one hundred dollars each, and such capital stock may be, from time to time as the works of the Company require, increased by a vote of not less than three fourths in value of the shareholders present in person or represented by proxy at a meeting of the Company to be called for that purpose, to an amount not exceeding three hundred thousand dollars.

3. That the said Alexander Lucas, James Reilly, James A. Loughheed and Peter McCarthy shall be and are hereby constituted Provisional Directors of the said Company (three of whom shall be a quorum) and shall hold office as such until the first election of Directors under this Ordinance, and shall have power forthwith to open stock-books and procure

subscription of stock for the undertaking and shall have power to deposit in any chartered bank of Canada all moneys received by them on account of such stock subscribed.

POWERS OF COMPANY.

4. The consent of the Mayor and Council of the Municipality of the Town of Calgary by by-law first had and obtained, the Company may break up, dig and trench so much and so many of the streets, roads, sidewalks, walks, pavements, squares, highways, lanes and public places of the Municipality of the town of Calgary, for supplying gas or water or both, as are necessary for laying the mains and pipes to conduct the gas or water or both from the works of the Company to the consumers thereof, doing no unnecessary damage in the premises and taking care as far as may be to preserve a free and uninterrupted passage through the said streets, roads, squares, highways, lanes and public places while the works are in progress.

5. If the Company desire to test for natural gas they shall do so within two years from the passing hereof, and no other person or persons, bodies politic or corporate, shall, for twenty years from the passing hereof, without the consent of such Company first had and obtained, lay down any mains or pipes for the supply of natural gas within the said Municipality, provided that the privilege hereby granted shall lapse, unless within four years the Company supply natural gas supplied for the general uses of the Municipality.

6. The Directors of the Company, under the authority of the shareholders to them given by a resolution of a special general meeting called for that purpose, are hereby authorised to issue bonds or debentures under the seal of the Company, signed by its President or other presiding officer, and countersigned by its Secretary and Treasurer,

for prosecuting either the Gas or Water Works section or branch of the undertaking, separately, or for such joint undertakings, and such bonds or debentures shall specify on the face thereof for which section or branch of such undertaking the same are issued upon, or for both if such be the case, and shall be made payable at such time and in such manner, and at such place or places in Canada or elsewhere, and bearing such rate of interest as the Directors shall think proper, and the Directors shall have power to issue and sell or pledge all or any of the said bonds at the best price and upon the best terms and conditions which, at the time, they may be able to obtain for the purpose of raising money for the prosecuting of the said undertaking, the said bonds and debentures hereby authorised to be issued, shall, without registration or formal conveyance, be the first preferential claim and charge upon the branch or section of the undertaking for which said bonds and debentures are issued, together with the tolls and income and real and personal property of such branch or section owned now or at any time hereafter acquired, save and except as is hereinafter provided for, and each holder of said bonds shall be deemed to be a mortgagee or incumbrancer upon the said branch or section upon which such bond or debentures are issued, *pro rata* with the other bondholders of such branch or section, and shall have priority as such according to the dates of the issue of such bonds; but such rents and revenues shall be subject, in the first instance, to the payment of the working expenses of the respective sections or branches thereof

7. The Directors of the Company may make and issue paid-up stock, shares in the Company whether subscribed for or not, may allot and hand over such stock and the mortgage bonds of the Company in payment of plant or materials of any kind, and also for the services of contractors, engineers, and other persons, whether directors or not, who may have been, are, or may be engaged in promoting the undertaking,

and interests of the Company, and such issue and allotment of stock or bonds and debentures shall be binding on the Company, and such paid-up stock shall not be assessable for calls.

8. It shall be lawful for the Directors to accept payment in full for stock, from any subscriber thereof, at the time of subscription thereof, or at any time before the making of the final call thereon, and to allow such percentage in full for stock from any subscriber thereof, at the time of subscription thereof, or at any time before the making of the final call thereon, and to allow such percentage or discount thereon as may be deemed expedient to them, and thereupon to issue to each subscriber scrip to the full amount of such stock subscribed.

9. All bonds, debentures and other securities granted for the purposes aforesaid may be made payable to bearer or transferable by endorsement or otherwise as the Directors see fit, but no such bond or debenture shall be made or granted for a less sum than two hundred dollars.

10. The sum so borrowed shall not exceed the capital stock of the said Company.

11. The bonds, debentures and other securities for moneys borrowed shall be liquidated or paid out of the funds or receipts of the Company, according to the priority of the issuance of said bonds, debentures and other securities.

12. Ordinance No. 3 of 1886 and any Ordinance passed in the session of 1887 amending the same, and all the provisions thereof, shall apply to the Company hereby incorporated in the same manner as if they were expressly contained herein, in so far as the same are not inconsistent with or contrary to the special provisions hereof.

No. 24 of 187.

AN ORDINANCE TO INCORPORATE A GENERAL
HOSPITAL AT MACLEOD.

[*Passed 19th December, 1887.*]

Be it enacted by the Lieutenant-Governor of the North-West Territories, in Council, as follows :

1. Donald Watson Davis, of Macleod, Merchant, Charles Coursolles McCaul, of Macleod, Barrister, Duncan McEachern, of the City of Montreal, Veterinary Surgeon, Frederick W. Godsall, of Pincher Creek, Rancher, William Francis Cochrane, of Pincher Creek, Rancher, Charles Sharples, of Macleod, Rancher, Charles Edward Dudley Wood, of Macleod, Editor, Duncan John Campbell, of Macleod, Sheriff, John Herron, of Pincher Creek, Rancher, Leveret George DeVeber, of Macleod, Physician, Thomas Hatchard Stedman, of Macleod, Livery Stable Keeper Reverend Samuel Trivett, of Macleod, Clergyman, Reverend John McLean, of Macleod, Clergyman, Edward F. Gigot, of Macleod, Merchant, George Allan Kennedy, of Macleod Physician, and such other persons as may from time to time become members of the Corporation to be hereby incorporated, are hereby constituted a body corporate and politic under the name of "The Macleod General Hospital."

2. The said Corporation by the name of the "Macleod General Hospital," shall have perpetual succession and a common seal, and by such name may, from time to time, and at all times, purchase, acquire, receive, accept, build, hold possess and enjoy, for them and their successors, any lands, tenements, hereditaments and real and moveable property and estate within these Territories, together with such grants, devises, gifts and bequests, as may be made by and received from the Government of the Dominion of Canada, the North-West Territories, or any Corporation, person or persons whatsoever, for the sole use and benefit

of said Hospital; provided always that the annual value of such real estate so held as aforesaid does not at any one time exceed the sum of ten thousand dollars.

3. The affairs of the said Corporation shall be managed by a Board of Directors, consisting of fifteen members, and the said Donald Watson Davis, Charles Coursolles McCaul, Duncan McEachern, Frederick W. Godsall, William Francis Cochrane, Charles Sharples, Charles Edward Dudley Wood, Duncan John Campbell, John Herron, Leveret George De Veber, Thomas Hatchard Stedman, Reverend Samuel Trivett, Reverend John McLean, Edward F. Gigot, George Allan Kennedy, shall constitute the first Board of Directors, and shall continue to hold office and act as such Directors until their successors are appointed as hereinafter provided.

4. The Board of Directors shall every year at their first Meeting after Election appoint from among themselves a Chairman, Secretary and Treasurer.

5. The said Board of Directors shall have power to meet from time to time, for the transaction of the affairs of the said Corporation, of whom five shall form a quorum; and in the absence of the Chairman or Secretary any Director present may be appointed to act for the time being as such Chairman or Secretary.

6. The said Board of Directors shall have power to make by-laws, rules and regulations, not being contrary to law or to the provisions of this Ordinance, and power to amend, or repeal, from time to time, the same, for all purposes relating to and bearing upon the well-being and interests of said Corporation.

7. All Subscribers, who shall have paid such sum as may be fixed by the by-laws of the said Board of Directors and whose names shall appear in a book kept for that purpose, shall be Members of said Corporation and shall

have the right to take part in the annual meeting of said Corporation.

8. A donation at any time of Fifty Dollars or upwards shall entitle the donor to life membership.

9. All Members who shall have paid their subscriptions, as provided in Section 7, shall be eligible for election as Directors.

10. There shall be a General Annual Meeting of the Members of said Corporation on the first Monday of May in each year at an hour and place to be named by the Directors, and notice thereof shall be given by the Secretary by written notice and be published in one or more of the newspapers published in the Town of Macleod at least six days previous to the day of such meeting.

11. Provided that if from any cause such General Meeting shall not be held on the said first Monday of May, the Directors and Officers of said Corporation, then in office, shall continue in office until such General Annual Meeting is held, and their successors duly appointed as hereinafter provided.

12. If such General Annual Meeting shall from any cause not be held on the day hereinbefore appointed for the same, then it shall be lawful for the Directors then in office to decide upon another day for the holding of a General Annual Meeting, which day shall be within two months after the time, when the same should have been held, and such meeting shall be called in the same manner as it was called on the proper day, and at such meeting all business may be transacted and all things done in the same manner as the same would have been transacted and done, if such meeting had been held on the day aforesaid.

13. A full report shall be submitted by the Directors to the said General Meeting for its consideration and approval,

showing the condition of the affairs of said Corporation, including the Treasurer's report, the Steward's report, receipts and disbursements and all other matters bearing on the interests of the said Corporation, also a list showing the names of Members.

14. The Members present at the Annual Meeting shall proceed to elect the Directors for the ensuing year by ballot, and the fifteen Members, receiving the highest number of votes, shall be the Directors for the ensuing year.

15. The said Annual General Meeting shall elect an auditor for the ensuing year, and the Board of Directors at their first meeting thereafter shall also appoint an Auditor; and it shall be the duty of said Auditors to examine and report upon all accounts affecting the Corporation, or relating to any matter under its control or within its jurisdiction for the year previous; and they shall prepare an abstract of the receipts and expenditures and liabilities of the Corporation, and shall submit the same to the Directors on or before the first day of May in each year.

16. It shall be the duty of the said Corporation on or before the first day of July in each year to transmit to the Lieutenant-Governor, for the information of the Council of the North-West Territories, a return of the affairs of such Corporation, showing in detail the assets and liabilities, and the number of sick persons received and attended to during the preceding year in the said General Hospital.

17. The Directors of such Corporation shall, if they have been requested so to do by the Lieutenant-Governor in Council, and provided they are in receipt of public funds of the North-West Territories, keep in such Hospital, at such time and for such period, as may be determined by the said Lieutenant-Governor in Council, an adequate supply of vaccine matter, for the following purposes, viz.:

(a.) For the vaccination, by a qualified person attached

to such Hospital, at the expense of the same, of all poor persons, and, at their own expense, of all other persons, who may attend at such Hospital for that purpose during one day in every week ; the fee to be charged for such vaccination not in any case to exceed seventy-five cents, and to be used and applied for the benefit of the Hospital.

18. This Ordinance may be cited as "The Macleod General Hospital Ordinance."

No. 25 of 1887.**AN ORDINANCE TO INCORPORATE THE TOWN
OF MOOSOMIN.**

[Passed 19th November, 1887.]

Whereas, it is desirable to provide for the Incorporation of the Town of Moosomin;

Be it enacted by the Lieutenant-Governor of the North-West Territories, in Council, as follows:

1. Section number thirty-three (33), Township thirteen (13), Range thirty-one (31), West of the First Principal Meridian, from and after the coming into force of this Ordinance, is hereby incorporated into a Town Municipality, under the name of the "Town Municipality of Moosomin."

2. The powers conferred upon Town Municipalities by sub-sections 23, 24, 25 and 27 of section 109 of the Municipal Ordinance of 1885 shall not extend or apply to the said Municipality, and the powers conferred by section No. 126 of the said Ordinance shall be in the said Municipality limited to the levying of a rate not exceeding one cent on the dollar.

3. Within one month after this Ordinance takes effect the Lieutenant-Governor may, by order, appoint a Returning Officer to hold the first election of the first Mayor and six Councillors for the aforesaid Town of Moosomin.

4. All the expenses connected with the holding of such election shall be at the cost of the said Municipality.

5. Upon proof to the satisfaction of the Lieutenant-Governor that at least two-thirds of the residents, as defined by the Municipal Ordinance within the area of said town Municipality, and whose respective signatures have been duly and properly verified, and that public notice in three differ-

ent places of such intended application has been given within the area for at least two weeks previous to the receipt thereof by the Lieutenant-Governor, and there appearing to him no sufficient reason to the contrary, the Lieutenant-Governor may then declare, by his proclamation, the date and time this Ordinance shall come into force.

